

FIRST EXTRAORDINARY SESSION

FIRST DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Friday, March 14, 1975.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lola Jacobsen and Patricia Griffin. Prayer was offered by Reverend Wallace F. Misterek of Trinity Lutheran Church of Olympia.

The Speaker declared the House to be at ease.

The Speaker (Mr. Charette presiding) called the House to order.

MESSAGE FROM THE SECRETARY OF STATE

March 14, 1975

THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
THE LEGISLATURE OF THE STATE OF WASHINGTON  
OLYMPIA, WASHINGTON -  
MR. SPEAKER:

I, Bruce K. Chapman, Secretary of State of the state of Washington and custodian of the official seal of the State, do hereby certify that I have compared the attached copy of the proclamation of the Governor calling an extraordinary session of the Legislature of the state of Washington to convene on the 14th day of March, 1975, with the original of said proclamation now on file in this office and find the same to be a full, true and correct copy of said original, and the whole thereof, together with all official endorsements thereon.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the state of Washington. Done at the Capitol at Olympia on the 13th day of March, 1975.  
(SEAL)

BRUCE K. CHAPMAN  
Secretary of State.

(Governor's proclamation - see Journal, 60th Day, March 13, 1975.)

RESOLUTIONS

HOUSE RESOLUTION NO. 75-19, by Representative Charette:

BE IT RESOLVED, That the Speaker appoint a committee of three members of the House to notify the Senate that the House of Representatives is now organized and ready for business.

On motion of Mr. Thompson, House Resolution No. 75-19 was adopted.

HOUSE RESOLUTION NO. 75-20, by Representative Charette:

BE IT RESOLVED, That the state treasurer and budget director be, and they are hereby directed to draw their warrants for payment of the salaries of the employees of the House of Representatives and members' subsistence allowance every seventh day of the extraordinary session, and they are hereby authorized and directed to deliver the warrants to the Chief Clerk of the House.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House, by and with the approval of the Speaker of the House, be authorized and directed to establish salaries of the employees of the House and to provide to each member the necessary supplies and materials required to operate the House.

On motion of Mr. Thompson, House Resolution No. 75-20 was adopted.

#### APPOINTMENT OF COMMITTEE

In accordance with the provisions of House Resolution No. 75-19, the Speaker (Mr. Charette presiding) appointed Representatives Moreau, Haussler and Curtis to inform the Senate that the House was organized and ready for business.

#### COMMITTEE FROM THE SENATE

A Committee from the Senate appeared before the bar of the House and announced that the Senate was organized and ready for business.

The report was received, and the committee retired.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 21, by Representative Charette:

Notifying the Governor that the Legislature is organized.

#### MOTION

On motion of Mr. Thompson, the rules were suspended, and House Concurrent Resolution No. 21 was advanced to second reading and read the second time in full.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 21 was placed on final passage.

House Concurrent Resolution No. 21 was adopted.

#### REPORT OF SPECIAL COMMITTEE

The committee, consisting of Representatives Moreau, Haussler and Curtis, appointed to notify the Senate that the House was organized and ready for business, appeared before the bar of the House and reported that the Senate had been notified.

#### APPOINTMENT OF SPECIAL COMMITTEE

In accordance with the provisions of House Concurrent Resolution No. 21, the Speaker (Mr. Charette presiding) appointed Representatives Chatalas, McKibbin and Hayner to notify the Governor that the House was organized and ready for business.

#### MESSAGES FROM THE SENATE

March 13, 1975

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 21,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 13, 1975

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 109,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### REPORT OF SPECIAL COMMITTEE

The special committee, appointed to notify the Governor that the House was organized and ready for business, appeared before the bar of the House and reported that the Governor had been notified.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 109, by Senators Bailey, Mardesich, Matson and Lewis (Harry):

Referring to reintroduction of legislation.

## MOTION

On motion of Mr. Thompson, the rules were suspended, and Senate Concurrent Resolution No. 109 was advanced to second reading and read the second time in full.

Mr. Thompson moved that the rules be suspended, the second reading considered the third, and Senate Concurrent Resolution No. 109 be placed on final passage.

## POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Thompson, Senate Concurrent Resolution No. 109 establishes some of the ground rules for the extraordinary session, wherein bills, joint memorials and resolutions will hold their highest status in the House of origin, will be repassed back to their other status. It also talks very briefly on page two about the introduction of bills—they shall be requested of the Code Reviser by 12 noon on Friday, March 21, the eighth legislative day, and beyond Monday, March 24, the eleventh legislative day, there will be no introduction of additional bills. The resolution however stops at that point and does not cover such things as previously covered in earlier resolutions, such as cut-off dates for consideration of House bills, rules under which this legislative body will operate, revenue and tax measures, general consideration of messages from the Senate and our own legislation. Is it the intent of the majority party to leave this blank end open?"

Mr. Thompson: "Representative Pardini, as you have indicated to the House, the only new element in this resolution has to do with the deadline for the introduction of additional measures. The other processes are customary. As to the matter of later cut-offs, I can provide you with assurance that these will be developed in consultation with minority members of the Rules Committee and following that, negotiations with the Senate."

The motion was carried.

Senate Concurrent Resolution No. 109 was adopted.

## SIGNED BY THE SPEAKER

The Speaker (Mr. Charette presiding) announced that the Speaker had signed:  
HOUSE CONCURRENT RESOLUTION NO. 21.

## MOTION

On motion of Mr. Thompson, the House advanced to the seventh order of business.

## POINT OF INFORMATION

The Speaker (Mr. Charette presiding): "I will explain how we are going to go through this repassage of bills. Each member has on his desk a sheet showing how the bill was voted on the last time. It is our intention to announce the number of the bill and the short title, and then run the electric roll call machine on each one. These bills will then be sent to the Senate and be put in the same status they were when we adjourned yesterday."

## THIRD READING

HOUSE BILL NO. 2, by Representative Kilbury:

Decreasing the term length of mortgages or deeds on leasehold estates required for investments by insurance companies.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 2, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 9, by Representative Kilbury:**

Increasing sheriff's civil fees.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 9, and the bill passed the House by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Dunlap, Eikenberry, Freeman, Gilleland, Hansey, Hurley M., Kuehnle, Matthews, Polk, Randall.

Engrossed House Bill No. 9, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 13, by Representatives Conner, Becker and Moreau:**

Allowing the liquor board to issue licenses to charitable or nonprofit organizations which have officers or directors who are residents of a foreign country bordering on this state.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 13, and the bill passed the House by the following vote: Yeas, 88; nays, 10; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Eikenberry, Hayner, Lee, Newhouse, Pardini, Paris, Tilly, Wilson, Zimmerman.

Engrossed House Bill No. 13, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 15, by Representatives Fischer, Jastad and Matthews:**

Extending special immunities to pharmacists.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 15, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Moon.

Engrossed House Bill No. 15, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 16**, by Representatives May, Warnke, Parker and Clemente:

Revising appeal procedure from orders of the department of labor and industries.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 16, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 16, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 23**, by Representative Ehlers:

Authorizing school district participation in voluntary nonprofit organizations regulating interschool activities, subject to certain conditions and state board of education rules.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 23, and the bill passed the House by the following vote: Yeas, 73; nays, 23; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Dunlap, Ehlers, Eng, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Haussler, Hawkins, Hendricks, Hurley M., Juelling, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Conner, Curtis, Deccio, Eikenberry, Erickson, Freeman, Greengo, Hansen, Hansey, Hayner, Jastad, Kalich, Kuehnle, Nelson, Newhouse, North, Pardini, Patterson, Polk, Schumaker, Wilson.

Not voting: Representatives Gilleland, Hurley G. S.

Engrossed House Bill No. 23, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 29**, by Committee on State Government (Originally sponsored by Representatives Shipoch, Chatalas, Conner, Fortson and Gaines):

Making the gambling commission independent of the department of motor vehicles.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 29, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Williams.

Engrossed Substitute House Bill No. 29, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 32**, by Committee on Labor (Originally sponsored by Representatives Parker and Adams):

Conforming state minimum wage laws to federal laws.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 32, and the bill passed the House by the following vote: Yeas, 67; nays, 31; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Paris, Parker, Perry, Randall, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Chandler, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Greengo, Hansen, Haussler, Hayner, Jastad, Juelling, Kalich, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, North, Pardini, Patterson, Peterson, Polk, Savage, Schumaker, Tilly, Whiteside, Zimmerman.

Engrossed Substitute House Bill No. 32, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

My vote on final passage of Engrossed Substitute House Bill No. 32 should have been "No."

JAMES E. GILLELAND, 48th District.

#### EXPLANATION OF VOTE

I erroneously voted "nay" on Engrossed Substitute House Bill No. 32. I intended to vote "yea."

FRANCES C. NORTH, 47th District.

**SUBSTITUTE HOUSE BILL NO. 37**, by Committee on Constitution and Elections (Originally sponsored by Representatives King, Fortson and Parker):

Setting forth dates special elections may be called and authorizing name for office of president and vice president to otherwise appear on ballot.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 37, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Pardini, Parker.

Substitute House Bill No. 37, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 38**, by Representatives King, Bender, Erickson and Gaines (by request of Committee on Constitution and Elections of the 43rd Legislature):

Implementing law relating to recall of public officials.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 38, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 38, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 62, by Committee on Local Government (Originally sponsored by Representatives Bausch and Hendricks):**

Authorizing a service charge for county ambulance service.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 62, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Kuehnle, Matthews, Polk.

Not voting: Representative Leckenby.

Substitute House Bill No. 62, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 66, by Committee on Judiciary (Originally sponsored by Representatives Nelson, Haley and Matthews):**

Authorizing arrest on reasonable belief of persons driving while intoxicated and involved in an accident.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 66, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Boldt, Cochrane, Hurley G. S., Hurley M.

Substitute House Bill No. 66, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 71, by Committee on Social and Health Services (Originally sponsored by Representatives Adams and Savage):**

Regulating acupuncture.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 71, and the bill passed the House by the following vote: Yeas, 83; nays, 15; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Becker, Clemente, Eng, Gilleland, King, Kuehnle, McKibbin, Moon, Nelson, Newhouse, Pardini, Schumaker, Seeberger, Williams, Zimmerman.

Engrossed Substitute House Bill No. 71, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 72, by Representative Sherman:

Removing requirement that chairman and vice chairman of county central committees and state committee of each major political party be of opposite sexes.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 72, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Jueling.

House Bill No. 72, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 76, by Representatives Fortson, Lysen, Chandler and Erickson:

Providing a deputy registrar in each public school.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 76, and the bill passed the House by the following vote: Yeas, 68; nays, 30; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Brown, Curtis, Deccio, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Haussler, Hayner, Jastad, Jueling, Kuehnle, Matthews, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Peterson, Polk, Sommers, Tilly, Whiteside, Zimmerman.

Engrossed House Bill No. 76, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 77, by Committee on Constitution and Elections (Originally sponsored by Representatives King, Brown and Chandler):

Implementing the law relating to elections generally.



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 77, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hurley G. S., Moon, Newhouse.

Not voting: Representative Maxie.

Substitute House Bill No. 77, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 86, by Committee on Ways and Means - Revenue (Originally sponsored by Representative Randall):

Exempting certain government contractors from the state sales tax.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 86, and the bill passed the House by the following vote: Yeas, 76; nays, 21; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Berentson, Blair, Bond, Brown, Ceccarelli, Charette, Chatalas, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Eikenberry, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Bender, Boldt, Chandler, Charnley, Clemente, Ehlers, Eng, Fischer, Freeman, Hawkins, Hayner, Hurley G. S., Kuehnle, Laughlin, Lysen, Maxie, McKibbin, Moon, Perry, Williams.

Not voting: Representative Deccio.

Engrossed Substitute House Bill No. 86, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 87, by Committee on Agriculture (Originally sponsored by Representatives Laughlin, Amen, Kilbury, Bauer, Bausch, Haussler, Jastad, Kalich and Zimmerman):

Revising regulations on control of noxious weeds.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 87, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Substitute House Bill No. 87, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 89, by Representative Kilbury:

Regulating salvage of food unfit for use by humans.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 89, and the bill passed the House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio; Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Conner, Lysen, Moon, Pardini, Valle, Warnke, Williams, Zimmerman.  
 • Not voting: Representative Smith E. P.

House Bill No. 89, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 92**, by Representatives Wojahn, Juelling, Curtis, Ceccarelli, Erickson and Gilleland (by request of Committee on Commerce of the 43rd Legislature):

Imposing liability for certain taking of merchandise.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 92, and the bill passed the House by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Chandler, Charette, Cochrane, Ehlers, Shinpoch, Williams.

Engrossed House Bill No. 92, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 95**, by Representative Kilbury:

Adding a new chapter which revises all statutes relating to eggs and egg production.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 95, and the bill passed the House by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Ehlers, Eikenberry, Erickson, Haley, Haussler, Kalich, Lee.

Engrossed House Bill No. 95, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 96**, by Representatives Smith (Rick), Pardini, Sherman, Ehlers and Barnes:

Repealing the Fair Trade Act.

## MOTION

On motion of Mr. Thompson, Engrossed House Bill No. 96 was rereferred to Committee on Rules.

**ENGROSSED HOUSE BILL NO: 102**, by Representatives Chatalas, Curtis, Shinpoch, Polk, Bagnariol, Flanagan, North and Randall (by Legislative Budget Committee request):

Reconstituting purchasing and material control in state government.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 102, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 102, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 104**, by Representatives Shinpoch, Curtis, Bagnariol, Polk, Amen, Flanagan, North and Randall (by Legislative Budget Committee request):

Restricting the power of state agencies to provide cars to employees.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 104, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 104, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 105**, by Representatives Shinpoch, Curtis, Bagnariol, Polk, Flanagan and North (by Legislative Budget Committee request):

Transferring the state motor pool to the department of general administration.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 105, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 112**, by Representatives Bauer, Brown, Clemente, Laughlin and McKibbin (by Superintendent of Public Instruction request):

Abolishing the accumulated sick leave fund established in the office of the superintendent of public instruction.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 112, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Ehlers, Hawkins, King, Martinis, Moon, Zimmerman.

Not voting: Representative Charney.

House Bill No. 112, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 114**, by Representatives Sommers, Eikenberry, Randall, Brown, Zimmerman and North:

Removing mandatory tuberculosis expenditure requirements.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 114, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Charette, Hurley M., Newhouse, and Mr. Speaker.

House Bill No. 114, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 126**, by Committee on Judiciary (Originally sponsored by Representatives Hayner, May, Amen, Bond and Paris):

Making it unlawful to display indecent material.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 126, and the bill passed the House by the following vote: Yeas, 90; nays, 8; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cochrane, Douthwaite, Haley, Hawkins, Laughlin, McKibbin, Savage, Williams.

Substitute House Bill No. 126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 130, by Representatives Bagnariol and Shinpoch:**

Changing procedure for certifying small claims judgments.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 130, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnl, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 130, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 131, by Representatives Bauer, Hendricks, Fortson, Laughlin and McKibbin:**

Requiring only that a school district make reasonable effort to maintain minimum term of school required by law in lieu of dissolution of such district.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 131, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnl, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Ehlers, Sherman, Williams.

House Bill No. 131, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 133, by Representatives Hayner, Haussler and McKibbin:**

Increasing dollar amount below which county may dispense with competitive bidding.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 133, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eikenberry, Kuehnl, Pardini.

House Bill No. 133, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 140, by Representatives Bagnariol, Becker, Charnley, Cochrane, Fischer, Hayner, Laughlin, Martinis, McCormick and McKibbin:**

Abolishing pay toilets and requiring certain places of public accommodation to have free toilet facilities.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 140, and the bill passed the House by the following vote: Yeas, 69; nays, 28; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Moreau, North, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Barnes, Bond, Conner, Deccio, Dunlap, Eikenberry, Freeman, Gilleland, Haley, Hendricks, Juelling, Kuehnle, Leckenby, Matthews, McKibbin, Nelson, Newhouse, O'Brien, Pardini, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representative Patterson.

Engrossed House Bill No. 140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 141, by Representatives Haussler, Hansen, Kilbury, Laughlin and Tilly:**

Revising laws relating to theft of livestock and adding civil penalty.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 141, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Williams.

Engrossed House Bill No. 141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 144, by Representatives Smith (Rick), Knowles and Hendricks:**

Requiring revocation of driver's license and privileges upon conviction for failure to render aid.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 144, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 144, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 155**, by Representatives Seeberger, Smith (Rick), Knowles and Eikenberry:

Defining duties of the prosecuting attorney; authorizing the employment of special deputy prosecutors under certain circumstances.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 155, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 155, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 156**, by Representatives Laughlin, Zimmerman, Bauer, Martinis, Thompson, McKibbin, O'Brien, Newhouse, Kilbury, Luders, Hansen and Boldt:

Authorizing a compact among Washington, Oregon and Idaho relating to fish in the waters of the Columbia and Snake rivers.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 156, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Charette, Fortson, Hansey, Smith E. P.

Engrossed House Bill No. 156, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 158**, by Representatives Curtis, Charette, Schumaker, Kilbury, Tilly, Paris, Haussler, Savage, Conner, Hayner, Amen, Patterson, Thompson and Bauer:

Authorizing second and third class school districts to provide housing for superintendents thereof and validating prior commitments therefor.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 158, and the bill passed the House by the following vote: Yeas, 59; nays, 39; not voting, 0.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Chandler, Charette, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Gallagher, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Jueling, Kilbury, King, Knowles, Leckenby, Lee, Luders, Matthews, Maxie, McCormick, Nelson, Newhouse, O'Brien, Pardini, Paris, Patterson, Perry, Polk, Savage, Schumaker, Smith E. P., Thompson, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Becker, Brown, Ceccarelli, Charnley, Chatalas, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Freeman, Gaines, Gaspard, Gilleland, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kuehnle, Laughlin, Lysen, Martinis, May, McKibbin, Moon, Moreau, North, Parker, Peterson, Randall, Seeberger, Sherman, Shipoch, Smith R., Sommers, Williams, Wilson.

Engrossed House Bill No. 158, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 162**, by Representatives Seeberger, Hansen, Warnke, McKibbin, Gaines and Schumaker:

Removing the requirement that certain justices of the peace and district court judges be attorneys.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 162, and the bill passed the House by the following vote: Yeas, 90; nays, 7; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Deccio, Gaines, Hansen, Hurley G. S., Hurley M., Lysen, Newhouse.

Not voting: Representative Leckenby.

House Bill No. 162, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act:

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 164**, by Committee on Transportation and Utilities (Originally sponsored by Representatives Perry, Berentson, Martinis, Gilleland, Hansen, Patterson, McCormick, Ceccarelli, Clemente, Dunlap, Bender, Conner and Gaines):

Creating a department of transportation.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 164, and the bill passed the House by the following vote: Yeas, 70; nays, 28; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Becker, Bender, Berentson, Blair, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Juelling, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Bausch, Boldt, Bond, Charette, Curtis, Deccio, Ehlers, Flanagan, Freeman, Haussler, Hayner, Jastad, Kalich, Kilbury, Knowles, Kuehnle, Moon, Newhouse, Parker, Savage, Schumaker, Sherman, Tilly, Wojahn, Zimmerman.

Engrossed Substitute House Bill No. 164, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

Let the record and Journal show that I meant to vote "yea" and voted "nay" on consideration of Engrossed Substitute House Bill No. 164.

JAMES M. BOLDT, 8th District.

**HOUSE BILL NO. 170**, by Representatives McCormick, Leckenby, Bond, Gallagher and Laughlin:

Providing an extension of time for tax exemption on use of propane in motor vehicles.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 170, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey,



Hausler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Amen.

House Bill No. 170, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 172, by Representatives Bagnariol, Curtis, Shinpoch and Polk (by Legislative Budget Committee request):

Standardizing the marking of public vehicles.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 172, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 172, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 184, by Committee on Higher Education (Originally sponsored by Representatives Maxie, Perry, Moreau, Patterson, Peterson, Bond, Savage, Wojahn, Charnley, Nelson, Erickson, Fischer, Laughlin and Matthews):

Allowing higher education fee exemptions for residents fifty-five years of age or over at discretion of individual boards of trustees and regents.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 184, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Haley, Hansen, Juelling, Schumaker.

Engrossed Substitute House Bill No. 184, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 187, by Representatives Tilly, Hausler, Hansen, Curtis and Flanagan:

Changing designation of first class PUD to five commissioner PUD, and second class PUD to three commissioner PUD.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 187, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente,

Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Leckenby.

Engrossed House Bill No. 187, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE BILL NO. 189, by Representatives Bagnariol and Polk:

Authorizing water district commissioners to establish mileage reimbursement for official travel.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 189, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bausch, Warnke, Williams, Zimmerman.

Not voting: Representative Leckenby.

House Bill No. 189, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE BILL NO. 190, by Representatives Kraabel, Knowles, Eikenberry, Hayner, Smith (Rick), Charette and Seeberger:

Repealing provision that presiding officers of house and senate can become lawyers without legal training or examinations.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 190, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Chatalas, Gallagher, Warnke.

Not voting: Representative Hanna.

House Bill No. 190, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ENGROSSED SUBSTITUTE HOUSE BILL NO. 198, by Committee on Financial Institutions (Originally sponsored by Representatives Ceccarelli, Bagnariol, Deccio and Pardini):

Amending the insurance code.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 198, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S.; Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Hayner.

Engrossed Substitute House Bill No. 198, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 204**, by Committee on Ways and Means - Revenue (Originally sponsored by Representatives Thompson, Curtis and Chatalas):

Eliminating motor vehicle fuel tax refunds presently available for watercraft.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 204, and the bill passed the House by the following vote: Yeas, 52; nays, 46; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Becker, Bender, Blair, Brown, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Eng, Erickson, Fischer, Haley, Hanna, Haussler, Hawkins, Hurley G. S., Kalich, Knowles, Kuehnle, Laughlin, Lee, Matthews, Maxie, Moon, Newhouse, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Bausch, Berentson, Boldt, Bond, Ceccarelli, Chandler, Deccio, Dunlap, Ehlers, Eikenberry, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kilbury, King, Leckenby, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson, North, Parker, Polk, Sherman, Smith R., Valle, Warnke, Wilson.

Substitute House Bill No. 204, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 205**, by Representatives Brown, Bauer and Erickson:

Redesignating intermediate school districts with their attendant boards and officials as educational service districts.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 205, and the bill passed the House by the following vote: Yeas, 86; nays, 10; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Conner, Deccio, Eikenberry, Kalich, Kuehnle, May, Newhouse, Pardini, Schumaker.

Not voting: Representatives Martinis, Savage.

Engrossed House Bill No. 205, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 207**, by Committee on Local Government (Originally sponsored by Representatives O'Brien, Blair, Douthwaite and Gaines):

Authorizing cities and towns to provide certain off-street parking in manner their legislative authority provides by ordinance.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 207, and the bill passed the House by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Adams, Amen., Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bond, Conner, Kuehnle, Matthews, Nelson, Patterson, Polk, Schumaker, and Mr. Speaker.

Engrossed Substitute House Bill No. 207, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SUBSTITUTE HOUSE BILL NO. 217, by Committee on Financial Institutions (Originally sponsored by Representatives Valle, Nelson, Thompson, Erickson and Curtis):

Providing occupational therapy coverage under existing health insurance contracts.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 217, and the bill passed the House by the following vote: Yeas, 76; nays, 21; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hansey, Hendricks, Hurley G. S., Hurley M., Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Boldt, Bond, Chandler, Cochrane, Erickson, Flanagan, Haley, Hanna, Hansen, Haussler, Hawkins, Jastad, Kuehnle, Leckenby, Lee, Polk, Schumaker, Williams, Zimmerman.

Not voting: Representative Hayner.

Reengrossed Substitute House Bill No. 217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 218, by Representatives Gaspard, Bausch and Hendricks (by State Employees' Insurance Board request):

Implementing law relating to the state employees' insurance board, including authorizing an added charge to premium contributions.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 218, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 218, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 230, by Representatives Douthwaite, Leckenby, Bender, Clemente and Dunlap (by Department of Highways request):**

Authorizing the highway commission to establish equipment requirements for unsafe road conditions.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 230, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnl, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Conner, McKibbin, Pardini, Warnke.

House Bill No. 230, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 245, by Representatives Charette, Moon, Smith (Edward) and Randall:**

Prohibiting county assessors from engaging in private appraising.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 245, and the bill passed the House by the following vote: Yeas, 83; nays, 15; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kilbury, King, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Curtis, Douthwaite, Eikenberry, Flanagan, Gallagher, Kalich, Kuehnl, Laughlin, Matthews, May, Newhouse, Pardini, Paris, Polk, Zimmerman.

Engrossed House Bill No. 245, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 249, by Committee on Transportation and Utilities (Originally sponsored by Representatives Newhouse, Hansen, Patterson and Gilleland):**

Making certain changes in the laws relating to vehicle tonnage fees.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 249, and the bill passed the House by the following vote: Yeas, 77; nays, 21; not voting, 0.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bender, Berentson, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnl, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, Luders, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Thompson, Tilly, Valle, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Becker, Blair, Boldt, Brown, Cochrane, Douthwaite, Ehlers, Eng, Gaspard, Hawkins, Lee, Parker, Randall, Shipoch, Smith R., Sommers, Warnke, Williams, Wojahn.

Substitute House Bill No. 249, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 251**, by Representatives Wojahn, Lee, McCormick, North, Shipoch, Bagnariol, Perry, Maxie, Bauer, Erickson, Cochran, Becker, Sommers, Sherman, Fortson, Valle, Charnley, Kilbury, Laughlin and Williams:

Creating the Washington state women's council.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 251, and the bill passed the House by the following vote: Yeas, 65; nays, 33; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Haussler, Hawkins, Hendricks, Hurley G. S., Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Haley, Hansen, Hansey, Hayner, Hurley M., Jastad, Juelling, Kalich, Kuehnle, Martinis, Matthews, May, Nelson, Newhouse, Paris, Parker, Polk, Schumaker, Tilly, Whiteside, Wilson.

Engrossed House Bill No. 251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 261**, by Representatives Knowles, Hayner and Maxie (by Judicial Council request):

Requiring no fee when a relinquishment of parental rights is filed.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 261, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Leckenby.

Engrossed House Bill No. 261, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 264**, by Representatives Knowles, Smith (Rick) and Seeberger (by Judicial Council request):

Requiring the clerk of district and municipal courts to collect and remit fees, costs, penalties, fines and forfeitures.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 264, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 264, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 266, by Representatives Randall, Pardini and Erickson (by Department of Revenue request):

Pertaining to revenue and taxation.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 266, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 266, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 267, by Representatives Randall, Pardini and Erickson (by Department of Revenue request):

Pertaining to pollution control credits or expenditures.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 267, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 267, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 271, by Representatives Sommers and Erickson (by Department of Revenue request):

Altering the assessment procedures for telegraph company property and authorizing the board of tax appeals to value property that is denied exemption.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 271, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Hayner.

Engrossed House Bill No. 271, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 278**, by Representatives Sommers, Shinpoch, Charnley, Kraabel, Matthews and North (by Department of Social and Health Services request):

Providing for nursing home accounting systems.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 278, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Chatalas, Conner.

Not voting: Representatives Gaines, Lysen.

Engrossed House Bill No. 278, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 281**, by Representatives Parker, Kuehnle, Adams and Barnes (by Department of Social and Health Services request):

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 281, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Ehlers.

Engrossed House Bill No. 281, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 285**, by Representatives King, Juelling, Conner, Adams, Luders, Laughlin, Savage, Chandler, Blair, Chatalas, Haley, Charnley and Hanna:

Providing for the designation of certain specified fire and police department positions as public employees.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 285, and the bill passed the House by the following vote: Yeas, 68; nays, 30; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Gaines, Gaspard, Hanna, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, O'Brien, Pardini, Paris, Parker, Perry, Polk, Randall, Savage, Seeberger, Shinpoch, Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.



Voting nay: Representatives Amen, Berentson, Bond, Curtis, Deccio, Dunlap, Eng, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Leckenby, Lee, May, Nelson, Newhouse, North, Patterson, Peterson, Schumaker, Sherman, Smith E. P., Smith R., Tilly, Whiteside, Zimmerman.

Engrossed House Bill No. 285, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 295**, by Representatives Ceccarelli, Pardini, Fischer and McCormick:

Providing for, and regulation of, bank conservators.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 295, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 297**, by Representatives Bauer, Laughlin, McKibbin and Zimmerman (by Department of Social and Health Services request):

Providing for transportation of deaf and blind students.

#### MOTION

On motion of Mr. Thompson, House Bill No. 297 was rereferred to Committee on Rules.

**ENGROSSED HOUSE BILL NO. 304**, by Representatives Ceccarelli and Pardini:

Prohibiting certain mortgage reserve accounts.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 304, and the bill passed the House by the following vote: Yeas, 86; nays, 11; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Becker, Boldt, Cochrane, Douthwaite, Ehlers, Hawkins, Moon, Sherman, Smith R., Williams.

Not voting: Representative Chandler.

Engrossed House Bill No. 304, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 305**, by Representatives Hansen, Patterson, Hurley (Margaret), Perry, Bender, Clemente, Chandler, Boldt, Fortson, Gaines, Gilleland, Laughlin and Lee:

\* Staggering renewal date for motor vehicle registration.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 305, and the bill passed the House by the following vote: Yeas, 57; nays, 39; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Erickson, Fischer, Flanagan, Fortson, Gaines, Gilleland, Haley, Hansen, Hansey, Haussler, Hawkins, Hurley M., Jastad, Kalich, Kilbury, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, McKibbin, Moreau, Nelson, North, O'Brien, Patterson, Peterson, Polk, Randall, Schumaker, Seeberger, Shipoch, Smith R., Thompson, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Freeman, Gallagher, Gaspard, Greengo, Hanna, Hayner, Hendricks, Hurley G. S., Juelling, King, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Newhouse, Pardini, Paris, Parker, Savage, Sherman, Smith E. P., Sommers, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman.

Not voting: Representatives Bausch, Perry.

Engrossed House Bill No. 305, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 307, by Representatives Douthwaite, Peterson, Blair and Patterson:**

Repealing prohibition against sale of liquor on the University of Washington campus.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 307, and the bill passed the House by the following vote: Yeas, 64; nays, 33; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Deccio, Douthwaite, Eikenberry, Eng, Flanagan, Fortson, Freeman, Gaines, Gaspard, Greengo, Haley, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Juelling, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, McCormick, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Patterson, Perry, Peterson, Polk, Randall, Savage, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Berentson, Bond, Conner, Curtis, Dunlap, Ehlers, Erickson, Fischer, Gallagher, Gilleland, Hansey, Haussler, Hayner, Hurley M., Jastad, Kalich, Kilbury, Kuehne, Lee, Matthews, May, McKibbin, Pardini, Paris, Parker, Schumaker, Seeberger, Tilly, Wilson, Zimmerman.

Not voting: Representative Maxie.

House Bill No. 307, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 310, by Representatives Chatalas, Curtis, Shipoch and Polk (by Legislative Budget Committee request):**

Prescribing allocation of revenue from test fishing operation.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 310, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Conner.

Not voting: Representatives Berentson, Hurley G. S.

Engrossed House Bill No. 310, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 311, by Representatives Tilly, Gaspard, Hayner and Knowles:**

Providing a reinstatement period for a corporation of three years.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 311, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Leckenby.

Engrossed House Bill No. 311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 314**, by Representatives Sommers, O'Brien and Leckenby (by State Treasurer request):

Providing for the transfer of funds from and the abolishment of the world fair bond redemption fund.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 314, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 314, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 330**, by Representatives Bagnariol, Pardini, Randall, Warnke, Shipoch, Charnley, Eng, Matthews and North:

Exempting insulin and prosthetic devices from sales and use taxes.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 330, and the bill passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, Gallagher, Greengo, Hurley G. S., Hurley M., North.

Engrossed House Bill No. 330, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 331**, by Representatives Sommers, Nelson, Randall, Erickson, Smith (Rick) and Kraabel:

Defining the term adopted child for inheritance tax purposes.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 331, and the bill passed the House by the following vote: Yeas, 88; nays, 10; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Häley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Curtis, Dunlap, Eikenberry, Flanagan, Hansey, Kuehnle, Matthews, Polk, Schumaker, Zimmerman.

Engrossed House Bill No. 331, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 345**, by Committee on Ways and Means - Revenue (Originally sponsored by Representatives Moreau and Erickson):

Eliminating fee and changing excise tax registration certificate requirements.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 345, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Häley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Substitute House Bill No. 345, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 349**, by Representatives Hawkins, Brown and Randall (by Department of Revenue request):

Pertaining to apportionment of services and income for tax purposes.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 349, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Häley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Hendricks.

House Bill No. 349, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 350**, by Representatives Randall, Pardini and Erickson (by Department of Revenue request):

Pertaining to hotel, motel excise tax by counties and cities.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 350, and the bill passed the House by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Charnley, Conner, Gilleland, Hayner, Kilbury, Moon, Polk, Smith E. P.

Engrossed House Bill No. 350, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 354**, by Representatives Randall, Sommers and Hayner (by Department of Revenue request):

Changing "tax commission" to "department of revenue" in various statutes.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 354, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 354, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 360**, by Committee on Transportation and Utilities (Originally sponsored by Representatives Kalich and Jastad):

Making an emergency appropriation for the operation of the Puget Island Ferry for the remaining portion of the 1973-1975 biennium.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 360, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Curtis, Eng.

Substitute House Bill No. 360, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 377**, by Representatives Curtis and Hurley (George) - by Department of Game request:

Increasing certain fees and licenses for game and game fish.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 377, and the bill passed the House by the following vote: Yeas, 72; nays, 24; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Eng, Erickson, Fischer, Fortson, Gaspard, Greengo, Haley, Hanna, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Juelling, Kilbury, Knowles, Laughlin, Leckenby, Lee, Luders, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Pardini, Paris, Perry, Peterson, Polk, Randall, Savage, Seeberger, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Deccio, Ehlers, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Hansen, Hansey, Hurley M., Jastad, Kalich, King, Kuehnle, Lysen, Martinis, Newhouse, Parker, Patterson, Schumaker, Sherman, Wilson.

Not voting: Representatives Moon, Smith R..

Engrossed House Bill No. 377, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## EXPLANATION OF VOTE

Due to a mechanical failure my "yes" vote on Engrossed House Bill No. 377 did not record.

RICK SMITH, 23rd District.

ENGROSSED HOUSE BILL NO. 385, by Representatives Kilbury, Tilly, Becker and Hansen:

Increasing the assessment per head on cattle.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 385, and the bill passed the House by the following vote: Yeas, 88; nays, 10; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Eikenberry, Gilleland, Hansen, Juelling, King, Kuehnle, Moon, Newhouse, Polk.

Engrossed House Bill No. 385, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 422, by Representatives Randall, Kilbury, Hurley (George), Hayner, Hurley (Margaret) and Curtis:

Permitting tax adjustments upon property destroyed at any time during the year.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 422, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 422, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 468, by Representatives Parker, Bagnariol, Shinpoch and Sommers:**  
Abolishing the state armory fund and directing revenue to state general fund.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 468, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kuehnle, Pardini.

House Bill No. 468, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 474, by Representative Charette:**

Authorizing cities to provide ambulance services and impose taxes for the support thereof.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 474, and the bill passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Conner, Kuehnle, Matthews, Randall, Smith R., Zimmerman.

Engrossed House Bill No. 474, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 593, by Committee on Constitution and Elections (Originally sponsored by Representatives King, Brown and Charette):**

Permitting vote by absentee ballot for persons not making their original registration before 30 days prior to an election or primary.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 593, and the bill passed the House by the following vote: Yeas, 60; nays, 38; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Boldt, Bond, Brown, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Juelling, Kuehnle, Leckenby, Lee, Matthews, May, McCormick, Moreau, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Whiteside, Wilson, Zimmerman.

Substitute House Bill No. 593, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION FOR RECONSIDERATION

Mr. Newhouse moved that the House immediately reconsider the vote by which Substitute House Bill No. 66 passed the House.

Representatives Newhouse and Knowles spoke in favor of the motion, explaining that Senate Bill No. 2205, which had passed both the Senate and the House, was the same as Substitute House Bill No. 66.

The motion carried.

#### MOTION

On motion of Mr. Newhouse, Substitute House Bill No. 66 was rereferred to Committee on Rules.

#### MOTIONS

On motion of Mr. Charette, the balance of the memorials and resolutions listed on the Message from the Senate, to be repassed by the House, was deferred until Monday, March 17, 1975.

On motion of Mr. Charette, the House adjourned until 11:00 a.m., Monday, March 17, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## FOURTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Monday, March 17, 1975.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Eng, Kuehne and Luders. Representative Eng was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Erin O'Brien and Michael Wyne.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### VISITING DIGNITARIES

The Speaker (Mr. O'Brien presiding) appointed Representatives Ceccarelli, Bagnariol, Margaret Hurley, Greengo, Gallagher and Parker to escort Archbishop Thomas A. Connolly; the Very Reverend Matthew Naumes, O.S.B., President of St. Martin's College; and Monsignor John P. Doogan, Chancellor of the Archdiocese of Seattle to the rostrum.

Prayer was offered by Archbishop Connolly.

The Speaker (Mr. O'Brien presiding): "Today we are honoring a great man, St. Patrick. Because of this celebration it is our good fortune to have Archbishop Connolly with us. For St. Patrick's Day we have some entertainment. First I would like to present Representative Margaret Hurley who has prepared a poem in honor of St. Patrick's Day and we would like to hear from you, Mrs. Hurley."

Mrs. Hurley: "Whether I am Irish or not may or may not have anything to do with the reverence that I hold for St. Patrick, but I want to read something to you that I wrote in honor of my favorite saint. I call it 'Ode to St. Patrick' or 'Keep Washington Green'

'Twas on the 17th of March the year so long ago,  
St. Patrick came to Ireland and he made the shamrocks grow;  
Then he beckoned to the serpents that crawled o'er hill and lea,  
And they followed dear St. Patrick till he drowned them in the sea.  
'Twas then he looked around him seeing boulders everywhere  
And he piled them into fences so they could grow potatoes there.  
Then God sent down a paintbrush—the biggest ever seen,  
And St. Patrick took it in his hand and painted Ireland green. The folks forgot their  
hunger, their sorrow fled away,  
And all they've done is sing and dance until this very day.  
So let's all goad dear St. Patrick to hold that paintbrush in his hand  
And help us keep our state as green as he did that emerald land."

The Speaker (Mr. O'Brien presiding): "Now we have the great good fortune and pleasure to have with us Barbara Coffin of the Seattle Opera Company. Accompanying her, Mr. Henry Holt, musical director of the Seattle Opera."

Miss Coffin sang "Look to the Rainbow" from "Finian's Rainbow" and "Danny Boy."

The Speaker (Mr. O'Brien presiding) introduced Archbishop Thomas A. Connolly and he addressed the House.

### RESOLUTION

HOUSE RESOLUTION NO. 75-21, by Representatives Ceccarelli, Bagnariol, Deccio, Pardini and Clemente:

WHEREAS, Saint Patrick is the patron saint of Ireland; and  
WHEREAS, Saint Patrick was born in Roman Britain of Italian ancestry; and

WHEREAS, In his missionary work he had to face frequent dangers to his freedom and even to his life; and

WHEREAS, He was the most successful of the early ecclesiastics who labored for the conversion of Ireland to Christianity; and

WHEREAS, Persons of Irish ancestry and their well wishers have evolved the tradition of celebration in his remembrance; and

WHEREAS, Saint Patrick's Day is now observed throughout the world;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor and observe as Saint Patrick's Day, this day of March 17, 1975.

On motion of Mr. Ceccarelli, the resolution was adopted.

The Speaker requested the committee to escort Archbishop Connolly, Father Naumes and Monsignor Doogan from the House Chamber.

#### MESSAGES FROM THE SENATE

March 14, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE JOINT MEMORIAL NO. 104,  
ENGROSSED SENATE JOINT MEMORIAL NO. 106,  
SENATE JOINT MEMORIAL NO. 108,  
SENATE JOINT RESOLUTION NO. 110,  
SENATE CONCURRENT RESOLUTION NO. 101,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 14, 1975

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 21,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 14, 1975

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 102,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 14, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2006,  
SENATE BILL NO. 2021,  
SENATE BILL NO. 2024,  
SENATE BILL NO. 2026,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2036,  
ENGROSSED SENATE BILL NO. 2044,  
ENGROSSED SENATE BILL NO. 2046,  
ENGROSSED SENATE BILL NO. 2070,  
ENGROSSED SENATE BILL NO. 2072,  
SENATE BILL NO. 2074,  
SENATE BILL NO. 2079,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2088,  
ENGROSSED SENATE BILL NO. 2090,  
ENGROSSED SENATE BILL NO. 2096,  
SENATE BILL NO. 2106,  
SUBSTITUTE SENATE BILL NO. 2110,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2125,  
SENATE BILL NO. 2127,  
SUBSTITUTE SENATE BILL NO. 2137,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2150,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2159,  
 ENGROSSED SENATE BILL NO. 2171,  
 ENGROSSED SENATE BILL NO. 2172,  
 SENATE BILL NO. 2190,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2191,  
 ENGROSSED SENATE BILL NO. 2192,  
 ENGROSSED SENATE BILL NO. 2203,  
 SENATE BILL NO. 2206,  
 ENGROSSED SENATE BILL NO. 2210,  
 ENGROSSED SENATE BILL NO. 2215,  
 ENGROSSED SENATE BILL NO. 2227,  
 ENGROSSED SENATE BILL NO. 2242,  
 SUBSTITUTE SENATE BILL NO. 2249,  
 ENGROSSED SENATE BILL NO. 2268,  
 ENGROSSED SENATE BILL NO. 2271,  
 SENATE BILL NO. 2285,  
 ENGROSSED SENATE BILL NO. 2300,  
 ENGROSSED SENATE BILL NO. 2329,  
 ENGROSSED SENATE BILL NO. 2343,  
 ENGROSSED SENATE BILL NO. 2381,  
 ENGROSSED SENATE BILL NO. 2384,  
 ENGROSSED SENATE BILL NO. 2385,  
 ENGROSSED SENATE BILL NO. 2402,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2423,  
 ENGROSSED SENATE BILL NO. 2434,  
 SENATE BILL NO. 2452,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

**INTRODUCTION AND FIRST READING**

**HOUSE BILL NO. 1026, by Representatives Sommers, Ehlers and Hendricks:**

AN ACT Relating to preference in public employment; and amending section 1, chapter 84, Laws of 1895 as last amended by section 107, chapter 154, Laws of 1973 1st ex. sess. and RCW 73.16.010.

To Committee on State Government

**HOUSE BILL NO. 1027, by Representatives Warnke, Gaspard, McKibbin, Knowles and Gaines:**

AN ACT Relating to public officers and agencies; amending section 37, chapter 1, Laws of 1973 and RCW 42.17.370; and adding new sections to chapter 42.17 RCW.

To Committee on Constitution and Elections

**HOUSE BILL NO. 1028, by Representatives Warnke and Bausch:**

AN ACT Relating to insurance; providing a tax on gross revenues of health care service contractors in lieu of payment of premium taxes under RCW 48.14.020; exempting such contractors from the payment of the business and occupation tax; and creating a new section.

To Committee on Ways and Means - Revenue

**HOUSE BILL NO. 1029, by Representatives Conner, Warnke, Eikenberry, Kalich, Wojahn and Gallagher:**

AN ACT Relating to associations; and creating a new section.

To Committee on Judiciary

**HOUSE BILL NO. 1030, by Representatives Sommers and Hurley (George):**

AN ACT Relating to grandparent visitation rights; and adding a new section to chapter 4.24 RCW.

To Committee on Judiciary

**HOUSE BILL NO. 1031, by Representative Haussler:**

AN ACT Relating to justices of the peace; and amending section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 14, Laws of 1973 1st ex. sess. and RCW 3.34.010.

To Committee on Judiciary

HOUSE CONCURRENT RESOLUTION NO. 22, by Representatives Hansey and Berentson:

Proposing coordinated traffic safety efforts.

To Committee on Transportation and Utilities

#### MOTION

On motion of Mr. Charette, all bills listed on today's agenda were referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

March 11, 1975

HOUSE BILL NO. 627, Prime Sponsor: Representative McKibbin, implementing law relating to certain student transfer within the common schools and state apportionment credit therefor. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Barnes, Bender, Boldt, Brown, Ehlers, Eng, Fortson, Hurley (George), Warnke, Whiteside.

To Committee on Rules for second reading.

March 14, 1975

HOUSE BILL NO. 698, Prime Sponsor: Representative Shinpoch, requiring salary and fringe benefit surveys for employees under the state personnel board and the higher education personnel board. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 27 after "and" insert "/or"

On page 2, beginning on line 3 after "The state" strike all material down to and including "work" on line 4.

On page 5, line 21 after "based on" strike "negotiation or"

On page 5, line 21 after "judgmental" insert "or other"

On page 8, line 16 after "and" insert "/or"

On page 8, beginning on line 22 after "The state" strike all material down to and including "work" on line 23

On page 10, beginning on line 25 after "nature" strike all material down to and including "located" on line 23

On page 12, line 35 after "based on" strike "negotiations or"

On page 12, line 35 after "judgmental" insert "or other"

Signed by Representatives Shinpoch, Chairman; Amen, Bagnariol, Blair, Curtis, Flanagan, Freeman, Gaspard, Matthews, Smith (Edward), Smith (Rick), Valle, Warnke.

MINORITY recommendation: Do not pass. Signed by Representative Bausch.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Charette, the House advanced to the seventh order of business.

#### THIRD READING

The Speaker (Mr. O'Brien presiding) stated that the balance of the memorials and resolutions that had been passed by the House in the Regular Session were to be voted upon now.

HOUSE JOINT MEMORIAL NO. 2, by Representatives Patterson, Perry, Hansen, Martinis, Gilleland, McCormick, Berentson, Charnley, Bender, Chandler, Conner, Leckenby, Dunlap, Barnes, Sherman, Gallagher, Wilson, Douthwaite, Schumaker, Seeberger, Chatalas, Laughlin and McKibbin:

Requesting the federal government return to the states at least fifty percent of increased revenues from new energy conservation taxes.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 2, and the memorial passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson.

Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Warnke.

Not voting: Representatives Eng, Luders.

House Joint Memorial No. 2, having received the constitutional majority, was declared passed.

**HOUSE JOINT MEMORIAL NO. 4**, by Representatives Bond, Perry, Haussler, McCormick, Berentson, Newhouse, Zimmerman, Luders, Dunlap, Peterson, Tilly, Barnes, Amen, Brown, Hendricks, Haley, Wilson, Whiteside, Kuehne, Hayner, Pardini, Flanagan, Paris, Curtis, Patterson, Charnley and Matthews:

Memorializing the President and the Governors of the several western states to meet in conference at Olympia for the purpose of seeking remedies for the problem of natural gas supplies.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4, and the memorial passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Seeberger.

Not voting: Representatives Eng, Kuehne, Luders.

House Joint Memorial No. 4, having received the constitutional majority, was declared passed.

**HOUSE JOINT MEMORIAL NO. 6**, by Representatives Kilbury, Boldt, Wojahn, Charnley, Cochrane, Douthwaite, Perry, Fortson, North, Maxie, Valle, Bausch, Becker, Sherman, Williams, Hawkins, Moreau, Hanna, Thompson, Hurley (George), Lee, Brown, Laughlin, Moon, Sommers, Erickson, Smith (Rick), Bauer, Ceccarelli, Knowles, King, Bagnariol, Savage, Eng, Warnke, Shipoch, Chatalas, Seeberger, McKibbin, Randall, Blair and Kalich:

Memorializing Governors and Legislatures of the states that have not ratified the Equal Rights Amendment to Constitution of the United States.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 6, and the memorial passed the House by the following vote: Yeas, 65; nays, 29; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Kilbury, King, Knowles, Laughlin, Lee, Lysen, Maxie, May, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Clemente, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gilleland, Hansey, Hayner, Jastad, Juelling, Kalich, Leckenby, Martinis, Matthews, McCormick, Newhouse, Paris, Parker, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Eng, Kuehne, Luders, Pardini.

House Joint Memorial No. 6, having received the constitutional majority, was declared passed.

**HOUSE JOINT MEMORIAL NO. 9**, by Representatives Perry, Kilbury, Hansen, Patterson, Fortson, Fischer, Smith (Edward), Tilly, Bender, Clemente, Charnley, Hurley

(George), Warnke, Luders, Knowles, Chatalas, North, Seeberger, Boldt, Moreau, Amen, Curtis and Laughlin:

Memorializing Congress to give priority to completing the Columbia Basin Project.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 9, and the memorial passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Eng, Kuehnle, Luders.

House Joint Memorial No. 9, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 15, by Representatives Bagnariol, Flanagan and Shipoch:

Petitioning the President and the Director of the Office of Management and Budget to provide fiscal data to state legislatures on a systematic basis.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 15, and the memorial passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Eng, Kuehnle, Luders.

House Joint Memorial No. 15, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 16, by Representatives Bagnariol, Flanagan and Shipoch:

Petitioning Congress to establish a clearing house for federal budget information necessary for formulation of state budgets.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 16, and the memorial passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Kuehnle, Luders.

House Joint Memorial No. 16, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 17, by Representatives Bagnariol, Flanagan and Shipoch:

Petitioning the President to assist in the establishment of continuing working relationships between state legislatures and federal departments and agencies.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 17, and the memorial passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Brown, Eng, Gilleland, Kuehnle, Luders.

House Joint Memorial No. 17, having received the constitutional majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 5, by Representatives King and Hayner (by Committee on Constitution and Elections request):

Amending the Constitution to change the amendment process thereof.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 5, and the resolution passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Deccio, Haussler, Schumaker.

Not voting: Representatives Bond, Eng, Kuehnle, Luders.

House Joint Resolution No. 5, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 451, by Representatives Haussler, Pardini and Sommers (by Department of Revenue request):

Pertaining to the cigarette excise tax.

The bill was read the third time and placed on final passage.

Representatives Haussler, Pardini and Hurley (George) spoke in favor of passage of the bill, and Mr. King spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 451, and the bill passed the House by the following vote: Yeas, 77; nays, 18; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, Knowles, Laughlin, Leckenby, Lee, Matthews, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Boldt, Charnley, Cochrane, Douthwaite, Dunlap, Hanna, Hawkins, King, Lysen, Martinis, Maxie, McCormick, Shipoch, Warnke, Williams, Wilson, Wojahn.

Not voting: Representatives Eng, Kuehnle, Luders.

Engrossed House Bill No. 451, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 486**, by Representatives Berentson, Thompson, Hansey and Gallagher:

Authorizing state support for certain county ferries.

The bill was read the third time and placed on final passage.

Representatives Berentson and Gallagher spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 486, and the bill passed the House by the following vote: Yeas, 82; nays, 12; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Charette, Curtis, Douthwaite, Laughlin, Nelson, Newhouse, Seeberger, Shinpoch, Williams.

Not voting: Representatives Eng, Kuehnle, Luders, Pardini.

Engrossed House Bill No. 486, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Eng appeared at the bar of the House.

**ENGROSSED HOUSE BILL NO. 587**, by Representatives Ceccarelli, Berentson, Perry, Chatalas and Leckenby:

Providing for creation of West Seattle access development commission.

The bill was read the third time and placed on final passage.

Representatives Ceccarelli, Hurley (George), Perry, Leckenby and Peterson spoke in favor of passage of the bill, and Representatives Moon, Douthwaite, North, Charnley and Williams spoke against it.

Mr. Conner demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 587, and the bill passed the House by the following vote: Yeas, 57; nays, 37; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bausch, Bender, Berentson, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hendricks, Hurley G. S., Kalich, Kilbury, King, Leckenby, Martinis, Matthews, May, McCormick, Moreau, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Becker, Blair, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fortson, Haley, Hawkins, Hayner, Hurley M., Jastad, Juelling, Laughlin, Lee, Maxie, McKibbin, Moon, Nelson, Newhouse, North, Paris, Randall, Sherman, Tilly, Whiteside, Williams, Zimmerman.

Not voting: Representatives Knowles, Kuehnle, Luders, Lysen.

Engrossed House Bill No. 587, having received the constitutional majority was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF PERSONAL PRIVILEGE

Mr. Parker: "Mr. Speaker, earlier in the day we listened to some singers and some Irish tunes, but one of the things that we missed was the playing of the pipes. Since we have some pipers that thought we were going to meet at 12 o'clock we missed them; however I understand that they are outside and I would like to have the Sergeant at Arms invite them in. I



realize that they are Scotch, but they like to celebrate St. Patrick's Day, too. I would like to introduce a group from Tacoma to the members of the House."

Three bagpipers from the Tacoma Scots Pipes and Drums entertained the House.

#### MOTION

Mr. Eikenberry: "The motion which I would make at this time I feel that I must make because it is timely at this point. It is that the House Committee on Judiciary—"

#### POINT OF ORDER

Mr. Charette: "Mr. Speaker, you recognized the speaker to make a motion and I think he has now commented and he must now be recognized again if he is going to make a motion."

The Speaker (Mr. O'Brien presiding): "Representative Eikenberry will you state your motion?"

Mr. Eikenberry moved that the House Committee on Judiciary be relieved of House Bill No. 80, and the matter be placed on the second reading calendar for tomorrow.

Mr. Eikenberry spoke in favor of the motion.

#### SPEAKER'S ADMONITION (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Mr. Eikenberry, will you confine your remarks to the reason why you want the House to consider House Bill No. 80, and not go into the merits of the bill. The merits of the bill are not open at this time."

Mr. Eikenberry continued his remarks in favor of the motion.

Representatives Hurley (Margaret), Newhouse and Schumaker spoke in favor of the motion, and Representatives Knowles and Gaspard spoke against it.

Mr. Charette spoke against the motion.

Representatives Tilly and Pardini spoke in favor of the motion, and Mr. Smith (Rick) spoke against it.

Mr. Conner demanded the previous question, and the demand was not sustained.

Mr. Polk demanded an electric roll call and the demand was sustained.

Mr. Leckenby spoke in favor of the motion and Mr. Kilbury spoke against it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Is the motion before the body to relieve the House Judiciary Committee of House Bill No. 80 and place it on the second reading calendar for tomorrow?"

The Speaker (Mr. O'Brien presiding): "That is the motion. I would like to call attention to the body that actually the whole motion is in violation of our rules. We have gone along with it so long now in debate that I let it go."

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Eikenberry that the Committee on Judiciary be relieved of House Bill No. 80, and the motion was not carried by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Fortson, Freeman, Gaines, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Leckenby, Lee, Lysen, Matthews, May, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, King, Knowles, Laughlin, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kuehnle, Luders.

## EXPLANATION OF VOTE

Because of a malfunction of the voting machine I was recorded as a "nay" vote, when in fact I intended to be recorded as an "aye" vote on Mr. Eikenberry's motion.  
ROBERT W. RANDALL, 23rd District.

## MESSAGE FROM THE SENATE

March 17, 1975

Mr. Speaker:

The President has signed:  
SENATE CONCURRENT RESOLUTION NO. 109,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:  
SENATE CONCURRENT RESOLUTION NO. 109.

## MOTION

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Tuesday, March 18, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FIFTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Tuesday, March 18, 1975.

The House was called to order at 10:30 a.m. by the Speaker (Mr. Ceccarelli presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lori Boyle and Jim Johnson. Prayer was offered by The Reverend Robin L. Leuthe of the Church of the Epiphany of Chehalis.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGE FROM THE SENATE

March 17, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2690,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

**HOUSE BILL NO. 1032, by Representatives May and Gallagher:**

AN ACT Relating to barbering; amending section 1, chapter 75, Laws of 1923 as last amended by section 1, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.010; amending section 2, chapter 75, Laws of 1923 as last amended by section 2, chapter 223, Laws of 1967 and RCW 18.15.020; amending section 3, chapter 75, Laws of 1923 as last amended by section 3, chapter 223, Laws of 1967 and RCW 18.15.040; amending section 6, chapter 75, Laws of 1923 as last amended by section 2, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.050; amending section 7, chapter 75, Laws of 1923 as last amended by section 4, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.060; amending section 3, chapter 84, Laws of 1959 as last amended by section 5, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.065; amending section 13, chapter 75, Laws of 1923 as last amended by section 4, chapter 16, Laws of 1951 and RCW 18.15.080; amending section 14, chapter 75, Laws of 1923 as last amended by section 6, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.090; amending section 2, chapter 84, Laws of 1959 as amended by section 14, chapter 223, Laws of 1967 and RCW 18.15.095; amending section 13, chapter 223, Laws of 1967 as amended by section 7, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.097; amending section 8, chapter 172, Laws of 1901 as last amended by section 8, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.100; amending section 7, chapter 209, Laws of 1929 as last amended by section 9, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.110; amending section 15, chapter 75, Laws of 1923 as amended by section 17, chapter 223, Laws of 1967 and RCW 18.15.120; amending section 13, chapter 101, Laws of 1957 as last amended by section 18, chapter 223, Laws of 1967 and RCW 18.15.125; amending section 4, chapter 101, Laws of 1957 as amended by section 19, chapter 223, Laws of 1967 and RCW 18.15.130; amending section 5, chapter 101, Laws of 1957 as amended by section 20, chapter 223, Laws of 1967 and RCW 18.15.140; adding new sections to chapter 18.15 RCW; repealing section 10, chapter 148, Laws of 1973 1st ex. sess. and RCW, 18.15.200; repealing section 11, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.210; repealing section 12, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.220; repealing section 13, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.230; repealing section 14, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.240; and repealing section 15, chapter 148, Laws of 1973 1st ex. sess. and RCW 18.15.250.

To Committee on Commerce.

#### REPORTS OF STANDING COMMITTEES

March 17, 1975

**HOUSE BILL NO. 342, Prime Sponsor: Representative Savage, revising laws relating to boiler inspections. Reported by Committee on Labor.**

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, King, May, Parker.

**MINORITY recommendation:** Do not pass. Signed by Representatives Freeman, Gilleland, Haley, Matthews.

To Committee on Rules for second reading.

March 17, 1975

**HOUSE BILL NO. 363, Prime Sponsor:** Representative King, adding certain employer lock-out to exemptions of provision withdrawing benefits due to work stoppage. Reported by Committee on Labor.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, King, May, Parker.

**MINORITY recommendation:** Do not pass. Signed by Representatives Freeman, Gilleland, Haley, Matthews.

To Committee on Rules for second reading.

March 17, 1975

**HOUSE BILL NO. 530, Prime Sponsor:** Representative Haussler, amending laws relating to irrigation districts. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 2, line 15 after "43.03.050" strike "and 43.03.060"

On page 2, line 15 after "amended" insert ", and a reasonable mileage rate for the use of their own automobiles on official business at the rate determined by resolution of the directors, or their actual and necessary transportation expenses"

Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Laughlin, Amen, Blair, Cochrane, Eng, Fischer, Lee, McCormick, North, Paris, Smith (Edward), Whiteside, Wilson.

To Committee on Rules for second reading.

March 17, 1975

**HOUSE BILL NO. 561, Prime Sponsor:** Representative Bagnariol, permitting wine and beer in specified amounts to be brought into the state from foreign countries without duty. Reported by Committee on Commerce.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 1, line 15 after "quart of" strike "liquor" and insert "distilled spirits"

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Dunlap, Gaines, Greengo, Williams, Wojahn.

To Committee on Rules for second reading.

March 12, 1975

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2036, Prime Sponsor:** Committee on State Government, providing legislative review of agency rules. Reported by Committee on State Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Sommers, Chairwoman; Bender, Hendricks, Hurley (Margaret), McKibbin, Nelson, Polk.

**MINORITY recommendation:** Do not pass. Signed by Representatives Leckenby, Williams.

To Committee on Rules for second reading.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. Ceccarelli presiding) recognized within the bar of the House, Miss Charlene Joy Meyers, Miss Washington of 1975, and requested Representatives Barnes, Lee and Warnke to escort her to the rostrum.

Miss Washington addressed the House briefly.

The Speaker (Mr. Ceccarelli presiding) requested the committee to escort her from the House Chamber.

### SECOND READING

HOUSE BILL NO. 208, by Representatives Seeberger, McKibbin, Knowles, Smith (Rick), Becker, Sherman and Shipoch:

Revising laws relating to rape.

The bill was read the second time.

On motion of Mr. Seeberger, Substitute House Bill No. 208 was substituted for House Bill No. 208, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 208 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 220, by Representatives Parker, May, Gaines, Kilbury, Adams and Gaspard:

Requiring labor and industries to conduct railroad safety inspections relating to employees.

The bill was read the second time.

On motion of Mr. Savage, Substitute House Bill No. 220 was substituted for House Bill No. 220, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 220 was read the second time.

Mr. Matthews moved adoption of the following amendment by Representatives Matthews and Freeman:

On page 1, strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 81.40 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 49.17.020 and 49.17.270, all powers and duties of any officer or agency of this state with respect to the safety of any railroad employees, whether those engaged in the operation of trains, or those whose duties require them to be in or about railroad plants, yards, premises, rooms, rights of way or equipment, or elsewhere, including but not limited to the enforcement and administration of all laws and regulations relating to safety of railroad employees, and the setting of standards and the promulgation of regulations relating to safety of railroad employees, are hereby vested in and required to be performed by the utilities and transportation commission."

Mr. Matthews spoke in favor of adoption of the amendment.

Mr. Conner demanded an electric roll call and the demand was sustained.

Representatives King, Parker and Savage spoke against the amendment, and Mr. Freeman spoke in favor of it.

Mr. Matthews spoke again in favor of the amendment.

### POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Savage, do you have any fiscal impact on the number of new employees that might be required if you split the jurisdiction in this particular case?"

Mr. Savage: "I had some advice about the fiscal impact and this in itself neither provides more employees nor any financial impact, but whether we do this or not, the Department, because of greater stress on safety, will have to have more inspectors than they have at the present time."

Mr. Patterson: "Which department, and how many more?"

Mr. Savage: "The safety division of the Department of Labor and Industries. I don't know exactly how many more, and they don't either. They don't have them hired or trained yet."

Mr. Patterson: "So we really have no idea as to how many additional dollars we are building into future budgets?"

Mr. Savage: "Whatever it costs for inspections for the Department of Labor and Industries, we are going to save that much on the utilities and transportation costs, so they figure it will balance out pretty well."

Mr. Patterson: "Are you suggesting that the commission will reduce the number of personnel that they have currently employed doing this?"

Mr. Savage: "Yes, by two, and so the Department didn't think there was going to be a great deal of change financially."

Representatives Patterson, Parker and May spoke against the amendment.

Mr. Conner demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Matthews and Freeman to Substitute House Bill No. 220, and the amendment was not adopted by the following vote: Yeas, 30; nays, 67; not voting, 1.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Lee, Matthews, Newhouse, Pardini, Paris, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representative Jastad.

HOUSE BILL NO. 338, by Representatives Savage, Freeman and Matthews (by Department of Labor and Industries request):

Revising qualifications for apprentice electricians.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-sixth Day, February 27, 1975.)

On motion of Mr. Savage, the committee amendments were adopted.

House Bill No. 338 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 339, by Representatives Savage, Matthews and Freeman (by Department of Labor and Industries request):

Modifying plumber apprentice requirements.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 388, by Representatives Deccio, Flanagan, Kilbury, Hawkins, Nelson, Whiteside, Dunlap, Bond and Eng:

Permitting the sheriff to determine the method of serving papers.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-sixth Day, February 27, 1975.)

On motion of Mr. Knowles, the committee amendments were adopted.

House Bill No. 388 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 393, by Representatives Smith (Rick), Pardini, Wojahn and Hanna (by Department of Employment Security request):

Modernizing language referring to mentally incompetent persons.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 413, by Representatives Wojahn, O'Brien, Pardini, Sommers, Fortson, Valle, Brown, Haley, Lysen, Bagnariol and Maxie:

Implementing law to eliminate sex discrimination in the public schools.

MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 413 was deferred, and the bill was ordered held for tomorrow's calendar.

HOUSE BILL NO. 479, by Representatives Parker, Eikenberry, Charette, Douthwaite, Leckenby, North and Paris:

Relating to the qualifications of jurors.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 479 was substituted for House Bill No. 479, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 479 was read the second time.

On motion of Mr. Knowles, the following amendments were adopted:

On page 2, line 6 strike "two" and insert "((two)) three"

On page 2, line 19 after "prejudice to the" strike "substantive" and insert "substantial"

Substitute House Bill No. 479 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 527, by Representatives Smith (Rick), Fortson, Becker, Sommers, Gaspard, Hawkins, North, Wilson, Berentson, Chandler, Charnley, Dunlap, Hansey, Leckenby and Sherman:

Requiring pilots and other precautions for tankers entering Puget Sound.

The bill was read the second time.

On motion of Mr. Perry, Substitute House Bill No. 527 was substituted for House Bill No. 527, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 527 was read the second time.

Mrs. Lee moved adoption of the following amendment by Representatives Lee and Smith (Rick):

On page 2, line 35 add a new section to read as follows:

"NEW SECTION. Sec. 5. The Legislative Transportation Committee and the House and Senate Transportation and Utilities Committees are authorized and directed to study the feasibility, benefits, and disadvantages of requiring similar pilot and tug assistance for vessels carrying other potentially hazardous materials and to submit their findings and recommendations prior to the 45th session of the Washington legislature in January, 1977."

Renumber the remaining section consecutively.

Representatives Lee and Perry spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 527 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 594, by Representatives King, Brown and Moon:

Authorizing punch card ballots to be sent to center at University of Washington for utilization of election statistical data.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 594 was substituted for House Bill No. 594, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 594 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 619, by Representatives Bagnariol, Perry, Nelson, Wojahn, Moreau, Bond, Peterson, Charnley, Patterson, Clemente and Savage:

Mandating availability of materials on abuses of alcohol in public premises where sold or consumed on campuses of institutions of higher education.

The bill was read the second time.

Mr. Bond moved adoption of the following amendment:

On page 1, lines 18-21 after "college education," strike "any of which have campuses whereon the sale of alcoholic beverages is authorized, or where by rule or regulation the consumption of alcoholic beverages is permitted,"

Representatives Bond and Tilly spoke in favor of the amendment, and Representatives Douthwaite, Maxie and Bagnariol spoke against it.

Mr. Bond spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Bond to House Bill No. 619, and the amendment was not adopted by the following vote: Yeas, 23; nays, 75; not voting, 0.

Voting yea: Representatives Barnes, Berentson, Bond, Chandler, Curtis, Eikenberry, Flanagan, Gilleland, Hansey, Haussler, Hayner, Kuehnle, Lee, Matthews, Newhouse, Pardini, Paris, Schumaker, Seeberger, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charney, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

The Clerk read the following amendment by Representative Bond:

On page 1, lines 22-23 after "of any" strike "public place where alcohol is being sold or where the consumption thereof by students is authorized" and insert "such campuses"

With the consent of the House, Mr. Bond withdrew the amendment.

Mr. Newhouse moved adoption of the following amendment:

On page 1, section 3, line 26 strike section 3.

Mr. Newhouse spoke in favor of the amendment, and Ms. Maxie spoke against it.

Mr. Newhouse spoke again in favor of the amendment, and Mr. Deccio also spoke in favor of it.

The amendment was adopted.

On motion of Mr. Newhouse, the following amendment to the title was adopted:  
On page 1, line 4 of the title strike "; and declaring an emergency"

House Bill No. 619 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Thompson, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 268, by Representatives Moon, Pardini, Randall and Charney (by Department of Revenue request):

Pertaining to appeals to the board of tax appeals.

The bill was read the third time and placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Newhouse.

Mr. Newhouse: "Is it the intent of this bill, if the taxpayer would opt for such an appeal before the appeals board, that he would then give up his right of appeal in the court? Would he, by asking for an appeal, give up his right to later appeal an adverse decision to the superior court?"

Mr. Randall: "No."



Representatives Eikenberry and Nelson spoke against passage of the bill.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Moon.

Mr. Moon: "Representative Randall, the question of the right of appeal to the court in judicial review has been raised. Would you set for the record whether or not House Bill No. 268 has any affect on the basic rights of judicial review as established in RCW 82.03.180?"

Mr. Randall: "No, it does not. In response to whether or not we are talking about smoke screens, either Mr. Nelson does not understand the territory or he has a smoke screen going. The Department of Revenue cannot take you to court on a board of tax appeals. The only jurisdiction the Department of Revenue, the tax committee referred to, has is over utilities and tax exempt properties. Now that whole speech that talked about that horrible Department of Revenue taking you, the poor little taxpayer, to task on this board of tax appeals, is just hogwash. They can not do that—they are not entitled to do it by law."

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Berentson.

Mr. Berentson: "Representative Pardini, I see you are a sponsor on this bill. Many of us here in this body respect your judgment and I am sure that you have looked at this bill very closely. Could you inform us as to how you plan to vote?"

Mr. Pardini: "As a sponsor of this bill, when it originally came out of the Rules Committee I prevailed upon the Rules Committee to rerefer it back to the Committee on Revenue because there are some difficulties in the bill. The Revenue Committee has attempted to answer the questions that have been raised, but in my opinion we have still not answered those questions. I guess this is one of those bills where you sign on and you haven't read it thoroughly and you end up voting against it. That is what I intend to do."

Mr. Conner demanded the previous question, and the demand was not sustained.

Mr. Eikenberry again spoke in opposition to the bill, and Mr. Moon spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 268, and the bill passed the House by the following vote: Yeas, 52; nays, 46; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bausch, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Hurley M., Kilbury, King, Knowles, Kuehnle, Leckenby, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeburger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Williams, Wojahn.

Voting nay: Representatives Amen, Barnes, Bauer, Berentson, Bond, Ceccarelli, Chandler, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Juelling, Kalich, Laughlin, Lee, Luders, Lysen, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 268, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 357, by Representative Conner:

Permitting monthly license for certain types of dump trucks.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Warnke.

Mr. Warnke: "Mr. Conner, could you give me the fiscal impact on this bill, please—the loss of revenue?"

Mr. Conner: "The estimate, and it would be difficult to determine—it would depend on the years, and I suppose with a winter such as we have had it would be less—but they have estimated \$73,000."

Mr. Warnke spoke against the bill, and Mr. Hansen spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 357, and the bill passed the House by the following vote: Yeas, 73; nays, 22; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bender, Berentson, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Smith E. P., Smith R., Thompson, Tilly, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Blair, Brown, Charnley, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Gaspard, Hawkins, Lee, Maxie, Parker, Randall, Sherman, Shinpoch, Sommers, Valle, Warnke, Williams.

Not voting: Representatives Becker, Jueling, Leckenby.

House Bill No. 357, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 631, by Representatives King, Brown, Fortson, Sherman and Erickson:

Providing for date absentee ballots considered voted when postmark missing or illegible.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 631 was substituted for House Bill No. 631, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 631 was read the second time.

Mr. Charnley moved adoption of the following amendment:

On page 3, following section 2, insert a new section as follows:

"Sec. 3. Section 29.36.040, chapter 9, Laws of 1965 and RCW 29.36.040 are each amended to read as follows:

Enclosed with the ballot, small envelope, and large envelope sent to the absent voter shall be separate printed instructions which the absent voter must observe as follows:

'Upon receipt of this ballot you must mark it and transmit it in accordance with these instructions according to law:

(1) Designate each candidate for whom you wish to vote.

(2) You may vote for a person whose name is not listed by writing such person's name and political party affiliation along with the name of the office in the space provided on the ballot or envelope, as appropriate. Precinct committeemen may be voted for in this manner.

(3) Having marked the ballot, fold it, and enclose it in the smaller envelope, sealing the envelope.

(4) Fill out and sign the statement on the larger envelope.

(5) Place the small envelope containing the ballot in the larger one, seal that, attach sufficient first class postage and mail it so that it will be postmarked the day of election or sooner, or instead of mailing you may send it by any means which will enable it to reach the county auditor or other issuing officer on or before election day."

Renumber the remaining section consecutively.

#### POINT OF ORDER

Mr. Pardini: "Mr. Speaker, on the proposed amendment by Representative Charnley, I am rising to challenge the scope and object of the amendment as enlarging on the bill. The bill deals with absentee ballots, the amendment raises the question of writing ballots and election of precinct committeemen and a couple of other things beyond the scope and object of the bill."

Mr. Charnley: "It amends section .040 which is instructions for voting absentee ballot."

Mr. Newhouse: "I would like to point out that this is a similar situation when I was ruled out of order on an amendment referring to the probationary period for teachers to achieve tenure when the bill was in the same section and was, in my opinion, perfectly appropriate."

**SPEAKER'S RULING (MR. CECCARELLI PRESIDING)**

The Speaker (Mr. Ceccarelli presiding): "The Speaker has examined your amendment, Representative Charnley, and House Bill No. 563, which is presently in Rules Committee. The Speaker has also examined Rule 33 which states in part, 'no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the House.' The amendment is different from House Bill No. 563 in that it deletes the words 'as necessary.' However the Speaker will rule that there is no material difference in House Bill No. 563 and the amendment as offered by you and therefore I am going to rule your amendment out of order. Your point of order is well taken, Representative Pardini."

Substitute House Bill No. 631 was passed to Committee on Rules for third reading.

**MOTION**

On motion of Mr. Thompson, the House advanced to the eighth order of business.

**RESOLUTIONS**

**HOUSE RESOLUTION NO. 75-22**, by Representatives Perry, O'Brien, Ceccarelli, Chatalas, Lysen and Williams:

WHEREAS, In recognition of an Inspirational Invocation on the 4th day of the Extraordinary Session of the 44th Legislative Session in the House of Representatives on March 17, 1975; and

WHEREAS, The Most Reverend Thomas A. Connolly, humanitarian and outstanding religious and civic leader, has retired, leaving a long and honorable record of nearly 49 years of service as a Priest of God, His Country and Community; and

WHEREAS, Any cause or issue involving the development of the civic, social, cultural or educational community received his enthusiastic support, and the protection and advancement of civil human rights claimed his vigorous leadership; and

WHEREAS, Archbishop Connolly has served the Seattle Archdiocese since 1948, becoming head of the Diocese in 1950, and during this period of time establishing forty-three parishes, eighty-four churches and thirty schools;

NOW, THEREFORE, BE IT RESOLVED, That we the members of the House of Representatives commend his efforts, achievements and courage, and extend to him our best wishes for a long and happy retirement with fond memories of the great contribution he made to all who had the good fortune to benefit by his stewardship.

On motion of Mr. Perry, the resolution was adopted.

**MOTION**

On motion of Mr. Thompson, the House adjourned until 10:30 a.m., Wednesday, March 19, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SIXTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Wednesday, March 19, 1975.

The House was called to order at 10:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ilene Cochran and James Wood. Prayer was offered by Reverend Charles A. Anderson of the Calvary Temple of Seattle.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

March 18, 1975

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2071,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### INTRODUCTION AND FIRST READING

**HOUSE BILL NO. 1033, by Representatives Newhouse, Flanagan, Jastad and Haley:**

AN ACT Relating to education and certain contracts of employment relating thereto; amending section 16, chapter 15, Laws of 1970 ex. sess. as amended by section 2, chapter 49, Laws of 1973 and RCW 28A.67.070; amending section 18, chapter 34, Laws of 1969 ex. sess. as amended by section 3, chapter 49, Laws of 1973 and RCW 28A.58.515; amending section 22, chapter 34, Laws of 1969 ex. sess. and RCW 28A.67.065; and creating a new section.

To Committee on Education

**HOUSE BILL NO. 1034, by Representatives Kilbury, Haussler and Hayner:**

AN ACT Relating to construction of county roads and bridges; and amending section 36.77.060, chapter 4, Laws of 1963 and RCW 36.77.060.

To Committee on Transportation and Utilities

**HOUSE BILL NO. 1035, by Representatives Kilbury, Savage, Charnley and Hawkins:**

AN ACT Relating to state government; amending section 12, chapter 179, Laws of 1974 ex. sess. and RCW 43.21C.150; and declaring an emergency.

To Committee on Transportation and Utilities

**HOUSE BILL NO. 1036, by Representatives Tilly, Matthews and Schumaker:**

AN ACT Relating to crimes and punishments; amending section 12, page 78, Laws of 1854 as last amended by section 1, chapter 112, Laws of 1919 and RCW 9.48.030; amending section 13, page 78, Laws of 1854 as last amended by section 141, chapter 249, Laws of 1909 and RCW 9.48.040; amending section 14, page 78, Laws of 1854 as last amended by section 142, chapter 249, Laws of 1909 and RCW 9.48.050; amending section 16, page 78, Laws of 1854 as last amended by section 2, chapter 49, Laws of 1970 1st ex. sess. and RCW 9.48.060; amending section 2, chapter 133, Laws of 1955 and RCW 9.95.010; amending section 5, chapter 133, Laws of 1955 as amended by section 2, chapter 138, Laws of 1961 and RCW 9.95.040; amending section 1, chapter 239, Laws of 1951 and RCW 9.95.055; amending section 58, chapter 249, Laws of 1909 and RCW 10.19.010; amending section 87, page 115, Laws of 1854 as last amended by section 1062, Code of 1881 and RCW 10.49.010; adding a new section to chapter 249, Laws of 1909 and chapter 9.48 RCW; prescribing penalties; and providing for the submission of this act to a vote of the people.

To Committee on Judiciary

**HOUSE BILL NO. 1037, by Representatives Bagnariol, Pardini, Erickson, Sommers and Randall:**

AN ACT Relating to revenue and taxation; adding a new chapter to chapter 15, Laws of 1961 and to Title 82 RCW; and declaring an emergency.

To Committee on Ways and Means - Revenue

**HOUSE BILL NO. 1038, by Representatives Sommers, Erickson and Randall:**

AN ACT Relating to insurance; amending section .14.02, chapter 79, Laws of 1947 as amended by section 9, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.020; and repealing section .32.32, chapter 79, Laws of 1947 and RCW 48.36.320.

To Committee on Ways and Means - Revenue

**HOUSE BILL NO. 1039, by Representatives Hanna and Becker:**

AN ACT Relating to cosmetology; and amending section 4, chapter 180, Laws of 1951 as last amended by section 4, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.070.

To Committee on Commerce

**HOUSE BILL NO. 1040, by Representatives O'Brien, Fischer, Jastad and Hawkins:**

AN ACT Relating to devices adapted for the use of drugs by injection; creating a new chapter in Title 70 RCW; defining crimes; prescribing penalties; and declaring an emergency.

To Committee on Social and Health Services

**SENATE BILL NO. 2071, by Senators Bottiger, Woody and Scott:**

Increasing fees for service in process.

To Committee on Judiciary

### MOTION

On motion of Mr. Thompson, all bills listed on today's agenda were referred to the committees designated.

### REPORTS OF STANDING COMMITTEES

March 17, 1975

**HOUSE BILL NO. 177, Prime Sponsor: Representative Leckenby, making changes in laws relating to all-terrain vehicles. Reported by Committee on Transportation and Utilities.**

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Bond, Chandler, Douthwaite, Gilleland, Hansen, Hayner, Kalich, Leckenby, Lee, McCormick, Patterson, Sherman, Wilson.

**MINORITY recommendation:** Do not pass. Signed by Representatives Laughlin, Martinis.

To Committee on Rules for second reading.

March 17, 1975

**SENATE BILL NO. 2026, Prime Sponsor: Senator Walgren, exempting inventory of sheltered workshops from property taxation. Reported by Committee on Ways and Means - Revenue.**

**MAJORITY recommendation:** Do pass with the following amendment:

On page 1, line 12 after "inventory" strike "held" and insert "owned"

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Eikenberry, Hawkins, Hurley (George), Kilbury, Moreau, Nelson, Sommers, Williams.

To Committee on Rules for second reading.

## MOTION

On motion of Mr. Charette, the House advanced to the seventh order of business.

## THIRD READING

**SUBSTITUTE HOUSE BILL NO. 208**, by Committee on Judiciary (Originally sponsored by Representatives Seeberger, McKibbin, Knowles, Smith (Rick), Becker, Sherman and Shipoch:

Revising laws relating to rape.

The bill was read the third time and placed on final passage.

Representatives Seeberger, Eikenberry, Knowles, Becker and Tilly spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 208, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kuehnle.

Substitute House Bill No. 208, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 220**, by Committee on Labor (Originally sponsored by Representatives Parker, May, Gaines, Kilbury, Adams and Gaspard):

Requiring labor and industries to conduct railroad safety inspections relating to employees.

The bill was read the third time and placed on final passage.

Representatives Savage and Parker spoke in favor of the bill, and Representative Haley spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 220, and the bill passed the House by the following vote: Yeas, 74; nays 23; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Lee, Matthews, Nelson, Newhouse, Pardini, Peterson, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Not voting: Representative Leckenby.

Substitute House Bill No. 220, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 338**, by Representatives Savage, Freeman and Matthews (by Department of Labor and Industries request):

Revising electricians' licensing requirements.

The bill was read the third time and placed on final passage.

Representatives Savage and Freeman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 338, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 338, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 339, by Representatives Savage, Matthews and Freeman (by Department of Labor and Industries request):

Modifying plumber apprentice requirements.

The bill was read the third time and placed on final passage.

Representatives Savage and Matthews spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 339, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 339, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 388, by Representatives Deccio, Flanagan, Kilbury, Hawkins, Nelson, Whiteside, Dunlap, Bond and Eng:

Authorizing the service of certain summons service by certified mail.

The bill was read the third time and placed on final passage.

Mr. Deccio spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 388, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 388, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 479**, by Committee on Judiciary (Originally sponsored by Representatives Parker, Eikenberry, Charette, Douthwaite, Leckenby, North and Paris):

Relating to the qualifications of jurors.

The bill was read the third time and placed on final passage.

Representatives Parker and Douthwaite spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 479, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnuch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Substitute House Bill No. 479, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 527**, by Committee on Transportation and Utilities (Originally sponsored by Representatives Smith (Rick), Fortson, Becker, Sommers, Gaspard, Hawkins, North, Wilson, Berentson, Chandler, Charnley, Dunlap, Hansey, Leckenby and Sherman):

Requiring pilots and other precautions for tankers entering Puget Sound.

The bill was read the third time and placed on final passage.

Representatives Smith (Rick) and Charnley spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Smith (Rick) yielded to question by Mr. Hansey.

Mr. Hansey: "Representative Smith, in section 3 one of the requirements is that two radars be in working order. This does not indicate whether or not those radars would both be manned or if they would be manned by the pilot only, or if they would be manned by two separate people, or what the qualifications would be. For the record, could you indicate what the intent is on that section?"

Mr. Smith (Rick): "Yes, Representative Hansey. I did have a chance to discuss this question with one of the licensed state pilots and we just have to rely on common sense and the responsibility of these people navigating these ships to use all the equipment they have available in the most professional manner. It would certainly be gross negligence to have operating radar available and not pay any attention to it."

Mr. Hansey: "Would it be your intention then that since there are two radars working that two radars would be manned by two different people for maximum safety?"

Mr. Smith (Rick): "No, it would be that they would be available and would be utilized on an as-needed basis."

Representatives Fortson, Berentson, Becker, Dunlap and Lee spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 527, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.



Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Substitute House Bill No. 527, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 619, by Representatives Bagnariol, Perry, Nelson, Wojahn, Moreau, Bond, Peterson, Charnley, Patterson, Clemente and Savage:

Mandating availability of materials on abuses of alcohol in public premises where sold or consumed on campuses of institutions of higher education.

The bill was read the third time and placed on final passage.

Mr. Bagnariol spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Bagnariol, I am a little bit perplexed and I suppose it is preventive medicine—this is to put signs on campuses if they sell alcoholic beverages. Do any campuses sell alcoholic beverages?"

Mr. Bagnariol: "I don't believe that they do. I do believe that it is permitted under current regulations and it possibly could happen. I don't believe any of them actually do it at this point. It doesn't actually call for signs, Representative Pardini, what it does is call for educational materials on the abuse of alcohol and in particular to the illnesses and consequences that result from it."

Mr. Pardini: "Under this legislation, could we put it out there even if they were not selling alcoholic beverages?"

Mr. Bagnariol: "The materials can be put out now. What this does is mandate them if they are selling alcoholic beverages."

Representatives Douthwaite, Bond and Maxie spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 619, and the bill passed the House by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Chandler, Haley, Hawkins, Kuehnle, Matthews, Newhouse, Schumaker, Tilly, Whiteside.

Engrossed House Bill No. 619, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2171, (as amended by the House) by Senators Francis and Clarke (by Judicial Council request):

Imposing fine and jail for wilful failure to appear before superior court after release on bail or personal recognizance.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Knowles, as I recall the last day of the regular session this body was prepared to concur, peel off the House amendment, and pass the bill as passed by the Senate. If that is true, wouldn't it be better to go back to second reading and remove the House amendment and then pass the bill?"

Mr. Knowles: "I don't think it would make a great deal of difference. This bill is now before us as it originally came to us. I would have to look at it, Representative Newhouse."

#### MOTION

On motion of Mr. Newhouse, further consideration of Engrossed Senate Bill No. 2171 was deferred, and the bill was ordered placed on the third reading calendar following Engrossed Senate Bill No. 2215.

ENGROSSED SENATE BILL NO. 2215, by Senator Bottiger:

Changing mileage rate for members of county road administration boards and urban arterial boards.

The bill was read the third time and placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2215, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yeas: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Senate Bill No. 2215, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Knowles, consideration of Engrossed Senate Bill No. 2171 was deferred, and the bill was ordered held for tomorrow's third reading calendar.

#### MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business.

#### SECOND READING

On motion of Mr. Thompson, consideration of House Bill No. 413 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 401.

HOUSE BILL NO. 174, by Representatives Nelson, Hansen and Lee (by Department of Highways request):

Precluding the use of highway centerline as corporate boundaries.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 239, by Representatives Ehlers, King, Thompson, Shinpoch, Gaspard, Zimmerman, Bender, Clemente, Conner, Moon, Brown, Moreau, Wojahn, McCormick, Sherman, Williams, Erickson, Boldt, Hawkins, Bagnariol, Smith (Rick), Bauer, Savage, Haley, Charnley, Gaines, Hendricks and Laughlin:

Protecting employee's insurance benefits.

The bill was read the second time.

On motion of Mr. Ceccarelli, Substitute House Bill No. 239 was substituted for House Bill No. 239, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 239 was read the second time and passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

HOUSE BILL NO. 343, by Representatives Parker, Knowles and Adams (by Department of Social and Health Services request):

Permitting proceedings relating to inmates of state prisons without reference to administrative procedure act.

The bill was read the second time.

#### MOTION

On motion of Mr. Charette, further consideration of House Bill No. 343 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 401, by Representatives Paris, Shinpoch, Chandler, Adams, Parker, Fortson, Bond and Hendricks:

Adding new provisions to laws relating to burial.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 401 was substituted for House Bill No. 401, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 401 was read the second time.

#### MOTION

Mr. Kuehnle moved that further consideration of Substitute House Bill No. 401 be deferred, and the bill be placed on the calendar after House Bill No. 651.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Kuehnle, I would like to preface my question by saying that I am probably going to oppose your motion if I don't understand your reason better. I understood that we knew yesterday that this bill would be on the calendar today and I don't really understand your reason why, if you had an amendment you wanted to make—didn't we have this on yesterday and did you not have an opportunity?"

Mr. Kuehnle: "Yes, we had it on yesterday and we had an opportunity, but I don't think this is an unusual request. I just noticed an amendment that I think is appropriate and this is a courtesy that is commonly extended. All I am asking is that courtesy be extended to me, Representative Shinpoch."

Mr. Shinpoch: "Representative Kuehnle, would you object if we moved it down one instead of two, to give you an opportunity to get your amendment distributed?"

Mr. Kuehnle: "If that will allow opportunity for distribution that is fine with me. I am just trying to play it safe and relieve a burden as far as the Chief Clerk is concerned."

#### MOTION

Mr. Shinpoch moved that Mr. Kuehnle's motion be amended to defer consideration of Substitute House Bill No. 401 after House Bill No. 431.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "What would then be the position of House Bill No. 413 on today's calendar?"

The Speaker: "When we placed it on the calendar behind House Bill No. 401 that was a place on the calendar, not that it should be considered after the bill, but merely a description of where the bill would be placed. Therefore I would say that House Bill No. 413 would be the next bill to be considered."

The motion by Mr. Shinpoch to amend Mr. Kuehnle's motion was carried.

Mr. Kuehnle's motion as amended by Mr. Shinpoch was carried.

#### MOTION

On motion of Mr. Charette, the House moved to immediately consider House Bill No. 861.

HOUSE BILL NO. 861, by Representatives Bagnariol and Shinpoch:

Relating to appropriations.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-second Day, March 5, 1975.)

Mr. Shinpoch moved that the House do not adopt the committee amendments.

Representatives Shinpoch and Curtis spoke in favor of the motion and it was carried.

Mr. Shinpoch moved adoption of the following amendment by Representatives Bagnariol and Shinpoch:

On page 1, strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. That a legislative budget is hereby adopted and subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and the other expenses of the legislature and for other specified purposes for the fiscal biennium beginning February 1, 1975 and ending January 31, 1977, except as otherwise provided, out of the several funds of the state hereinafter named.

NEW SECTION. Sec. 2. FOR THE STATE LEGISLATURE

General Fund Appropriation

Senate Expenses and salaries of members ..... \$ 6,272,400

House of Representatives Expenses and salaries of members ..... \$ 6,870,351

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing institutions, and shall take effect immediately."

Representatives Shinpoch and Curtis spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Peterson.

Mr. Peterson: "I wonder if you could explain why the Senate, with only 49 members, has a budget approximately equal to the House with 98 members?"

Mr. Shinpoch: "No."

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Williams.

Mr. Williams: "Just for my information, what was the amount in the Governor's budget for this biennium for the legislature? I guess what I am getting at is that amount plus what was left over as of February 1 of this year."

Mr. Shinpoch: "I don't have those figures, do you, Representative Curtis?"

Mr. Curtis: "I can't verify the authenticity without looking at the budget book, but I think that it was \$7.6 million for the House. This figure that you have in front of you is that amount with the \$790,000 currently on hand backed out of it. That is my understanding and I think that's pretty close."

The amendment was adopted.

On motion of Mr. Shinpoch, the following amendment to the title by Representatives Shinpoch and Bagnariol was adopted:

On page 1, strike the title and insert:

"AN ACT Adopting the legislative budget; making appropriations and authorizing expenditures for the operations of the legislature for the fiscal biennium beginning February 1, 1975 and ending January 31, 1977; and declaring an emergency."

House Bill No. 861 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Conner, the House adjourned until 10:30 a.m., Thursday, March 20, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 20, 1975.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Williams, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jodi Blevins and Chris Huddleson. Prayer was offered by Reverend Paul J. Beeman of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## SPEAKER'S PRIVILEGE

The Speaker appointed Representatives Curtis, Tilly, Haussler, Hansen, Seeberger and Deccio to escort the 1975 Washington State Apple Blossom Festival Royalty to the rostrum.

The Speaker introduced to the House the Apple Blossom Queen, Teresa Adams, and Princesses Kathy MacDonald and Debbie Sorrentino.

Queen Teresa addressed the House briefly, and along with the Princesses sang 'Tie a Yellow Ribbon 'Round the Apple Tree.'

The Speaker requested the committee to escort the Apple Blossom Court from the House Chamber.

## MESSAGE FROM THE SENATE

March 19, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2251,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2463,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1041, by Representative Warnke:

AN ACT Relating to self-insurers; and adding a new section to chapter 51.14 RCW.

To Committee on Commerce

HOUSE BILL NO. 1042, by Representatives Thompson and Wojahn:

AN ACT Relating to homesite lands; repealing section 36.59.300, chapter 4, Laws of 1963 and RCW 36.59.300; repealing section 36.59.310, chapter 4, Laws of 1963, section 39, chapter 292, Laws of 1971 ex. sess. and RCW 36.59.310; and repealing sections 36.59.320 through 36.59.430, chapter 4, Laws of 1963 and RCW 36.59.320 through 36.59.430.

To Committee on Natural Resources

HOUSE BILL NO. 1043, by Representative Savage:

AN ACT Relating to industrial insurance; and amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 22, chapter 43, Laws of 1972 ex. sess. and RCW 51.32.090.

To Committee on Labor

HOUSE BILL NO. 1044, by Representative Knowles:

AN ACT Relating to administrative procedure.

To Committee on Rules

HOUSE BILL NO. 1045, by Representative Knowles:

AN ACT Relating to eminent domain.

To Committee on Rules

HOUSE BILL NO. 1046, by Representative Knowles:

AN ACT Relating to implied consent.

To Committee on Rules

HOUSE JOINT RESOLUTION NO. 50, by Representatives Knowles, Hayner, Smith (Rick), Patterson, Gaspard, Newhouse and Seeberger:

Revising constitutional provisions for discipline and removal of judges.

To Committee on Judiciary

HOUSE JOINT RESOLUTION NO. 51, by Representatives Brown, King, Erickson, Sherman, Chandler and Hawkins:

Requiring joint candidacy by the governor and lieutenant governor.

To Committee on Constitution and Elections

ENGROSSED SUBSTITUTE SENATE BILL NO. 2251, by Committee on Constitution and Elections (Originally sponsored by Senators Grant and Washington):

Requiring financial disclosure by appointed officials.

To Committee on Constitution and Elections

ENGROSSED SUBSTITUTE SENATE BILL NO. 2463, by Committee on Higher Education (Originally sponsored by Senators Sandison, Newschwander, Stortini, Odegaard, Guess and Donohue):

Relating to vocational education.

To Committee on Education

### MOTION

On motion of Mr. Thompson, all bills and resolutions listed on today's agenda were referred to the committees designated.

### REPORTS OF STANDING COMMITTEES

March 11, 1975

HOUSE BILL NO. 40, Prime Sponsor: Representative Eng, providing for health maintenance organizations. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Eng, Fischer, Fortson, Hendricks, Peterson, Whiteside.

To Committee on Rules for second reading.

March 18, 1975

HOUSE BILL NO. 202, Prime Sponsor: Representative Wilson, permitting realignment of fire protection districts. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Local Government.

March 18, 1975

HOUSE BILL NO. 284, Prime Sponsor: Representative Hanna, authorizing increased payment for juvenile probation supervision. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Bauer, Becker, Deccio, Eng, Fischer, Fortson, Greengo, Haley, Hanna, Hendricks, May, Paris, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

March 18, 1975

HOUSE BILL NO. 303, Prime Sponsor: Representative Adams, authorizing department of social and health services to pay counties for special adult supervision programs. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochran, Eng, Fischer, Fortson, Hanna, May, Peterson.

To Committee on Rules for second reading.

March 18, 1975

HOUSE BILL NO. 383, Prime Sponsor: Representative Randall, permitting salaries to be set out in total amount under each budget class in a school district preliminary budget. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Dunlap, Ehlers, Eng, Fortson, Gaspard, Haley, Hayner, Hendricks, Hurley (George), Valle, Whiteside.

To Committee on Rules for second reading.

March 18, 1975

HOUSE BILL NO. 435, Prime Sponsor: Representative McCormick, revising law relating to rate setting and financing of public service companies. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Barnes, Bond, Ceccarelli, Chandler, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Leckenby, Martinis, McCormick, Patterson, Schumaker, Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Bender, Charnley, Douthwaite, Lysen, Seeberger, Sherman.

To Committee on Rules for second reading.

March 18, 1975

HOUSE BILL NO. 583, Prime Sponsor: Representative Bauer, authorizing payment of legal defense and judgements for certain educational agency staff and agents acting in line of duty. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Dunlap, Fortson, Gaspard, Haley, Hayner, Hendricks, Hurley (George), Valle, Whiteside.

To Committee on Rules for second reading.

March 19, 1975

HOUSE BILL NO. 595, Prime Sponsor: Representative Gaspard, prohibiting certain practices by camping clubs and prescribing penalties. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Dunlap, Gaines, Williams, Wojahn.

To Committee on Rules for second reading.

March 17, 1975

HOUSE BILL NO. 606, Prime Sponsor: Representative Ceccarelli, permitting young adults to work in class H premises. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 5 strike all of section 1 and insert a new section as follows:

"NEW SECTION. Section 1. There is added to chapter 62, Laws of 1973 ex. sess. and to chapter 66.44 RCW a new section to read as follows:

Employers holding a class A,C,D, and/or H license are permitted to allow their employees, who are eighteen years of age and older, to take orders for, to serve and to sell liquor in any part of the licensed premises and to perform clean-up work, set up and arrange tables and to deliver supplies in, on or about any areas in the establishment, including rooms or areas which are otherwise barred by law or by the Washington state liquor control board to persons under the age of twenty-one years: PROVIDED. That such employees under twenty-one years of age shall be under the supervision of an adult twenty-one years of age or older, and shall remain in the areas off-limits to minors no longer than is necessary to carry out their duties: PROVIDED FURTHER. That nothing in this act shall be construed so as to permit anyone



under twenty-one years of age to tend bar. For the purposes of this section the tending of bar shall include, but shall not be limited to, the preparation of alcoholic beverages to be served by such licensed establishments."

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Dunlap, Gaines, Williams.

To Committee on Rules for second reading.

March 19, 1975

HOUSE BILL NO. 733, Prime Sponsor: Representative Chatalas, authorizing solid waste collection and processing by cities and towns. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Cochrane, Eng, Fischer, Lee, McCormick, North, Smith (Edward), Whiteside, Wilson.

To Committee on Rules for second reading.

March 18, 1975

HOUSE BILL NO. 763, Prime Sponsor: Representative Hayner, authorizing juvenile court and department of social and health services to retain jurisdiction over delinquent juvenile until age 21. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 15 after "delinquent" strike "or unmanageable"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Patterson, Sherman.

To Committee on Rules for second reading.

March 18, 1975

HOUSE BILL NO. 830, Prime Sponsor: Representative Blair, permitting variable interest rates on life insurance policy loans. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Eikenberry, Leckenby, McCormick, Polk.

To Committee on Rules for second reading.

March 18, 1975

ENGROSSED SENATE BILL NO. 2096, Prime Sponsor: Senator Lewis (Harry), providing for study of administrative costs of school districts. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 12 of the engrossed bill, being line 13 of the printed bill, after "instruction" strike all material down to and including "legislation;" on line 18 of the engrossed bill, being line 19 of the printed bill, and insert "and the state auditor jointly, and in cooperation with the senate and house committees on education, to conduct appropriate studies and adopt classifications or revised classifications under RCW 28A.65.050, defining what expenditures shall be charged to each budget class including administration. Such studies and classifications shall be published in the form of a manual or revised manual, suitable for use by the governing bodies of school districts, by the superintendent of public instruction, and by the legislature."

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Dunlap, Ehlers, Fortson, Gaspard, Haley, Hayner, Hendricks, Hurley (George), Valle, Whiteside.

To Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 413, by Representatives Wojahn, O'Brien, Pardini, Sommers, Fortson, Valle, Brown, Haley, Lysen, Bagnariol and Maxie:

Implementing law to eliminate sex discrimination in the public schools.

The bill was read the second time.

On motion of Mr. Bauer, Substitute House Bill No. 413 was substituted for House Bill No. 413, and the substitute bill was placed on second reading.

Substitute House Bill No. 413 was read the second time.

Mr. Eikenberry moved adoption of the following amendment:  
On page 1, line 5 after "I." strike "Inferiority" and insert "Inequality"

Representatives Eikenberry, Bauer and Pardini spoke in favor of the amendment, and it was adopted.

Mr. Charette moved adoption of the following amendment by Representatives Charette and Zimmerman:

On page 2, line 10 after "sex." insert "Schools may provide separate teams for each sex; however, where separate teams are not provided, members of either sex shall have the opportunity to compete for a position on any team."

Mr. Berentson moved adoption of the following amendment to the Charette/Zimmerman amendment by Representatives Berentson and Zimmerman:

After "team." insert "However, that as to any sport in which the joint participation of the sexes is determined by the local board of school directors to be unduly hazardous, then in that event, separation upon the basis of sex shall be allowed with substantially equivalent opportunities being offered to the respective sexes, when determined to be feasible."

#### POINT OF ORDER

Mr. Pardini: "The amendment to the amendment by Representatives Berentson and Zimmerman, upon examination, says that you have to have separate teams if a sport is hazardous and the amendment by Representatives Charette and Zimmerman says that if separate teams are not provided you have to give them opportunity to compete for a position on any team. I would submit that the amendment by Representatives Berentson and Zimmerman is not appropriate to the amendment by Representatives Charette and Zimmerman because they are contradictory."

#### SPEAKER'S RULING

The Speaker: "Representative Pardini, in reading this, I think this is just a limitation upon the provision in that if they find that it is unduly hazardous, then they may make a ruling in regard to their discretion stated in the original amendment. I would think that it is in order."

Representatives Berentson, Zimmerman and Paris spoke in favor of the amendment to the amendment, and Representatives Wojahn and Blair spoke against it.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Ehlers.

Mr. Ehlers: "A few minutes ago before Representative Blair spoke, I had a very similar concern about this amendment and I share some of the concerns of the people on this floor about the kinds of coeducational participation in sports. They mentioned football and wrestling, could you mention some others for the body that you would consider hazardous?"

Mr. Zimmerman: "Certainly, I think we could list a long list of them—hockey, boxing, rugby—there are many. I think that the problem of listing them is that we do then have a laundry list trying to restrict them. I was trying to provide the school boards with that option within the confines of their particular situations. There may be different situations in several hundred school districts of this state for that decision and I would like to give them some opportunity to make that decision."

Representatives Ehlers, Cochrane and Brown spoke against the amendment, and Mr. Barnes spoke in favor of it.

Mr. Charnley demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendment by Representatives Berentson and Zimmerman to the amendment by Representatives Charette and Zimmerman, and the amendment was not adopted by the following vote: Yeas, 29; nays, 66; not voting, 3.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Grengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kuehnle, Laughlin, Newhouse, Paris, Patterson, Polk, Randall, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Kalich, Kilbury, King, Knowles, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Perry, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wojahn, and Mr. Speaker.

Not voting: Representatives Leckenby, Parker, Williams.

The Speaker stated the question before the House to be the amendment by Representatives Charette and Zimmerman to Substitute House Bill No. 413.

Representatives Charette and Pardini spoke in favor of the amendment, and Representative Barnes spoke against it.

The amendment was adopted.

Mr. Bond moved adoption of the following amendment:

On page 2, section 2, line 18 after "sexes" strike the balance of the line.

Representative Bond spoke in favor of the amendment.

#### POINT OF ORDER

Mrs. Hurley (Margaret): "If Mr. Bond's amendment is defeated then would it be the decision of the Speaker that Representative Polk's and my amendment would not then be considered because it relates to the same section and subsection?"

The Speaker: "Representative Hurley, we are considering Representative Bond's amendment prior to yours because we feel that his amendment is perfecting the matter that you will be attempting to strike with your amendment. The House has the opportunity to perfect prior to striking."

Mr. Bond continued his remarks in favor of the amendment.

Mr. Polk spoke in opposition to the amendment, and it was not adopted.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Hurley (Margaret):

On page 2, line 16 after "and awards." strike all material down to and including "each sex." on line 18 and insert the following: "Each school which provides showers, toilets and training room facilities for athletic purposes shall provide comparable facilities for both sexes. Such facilities may be provided either as separate facilities or shall be scheduled and used separately by each sex."

Representatives Polk, Hurley (Margaret), Hurley (George) and Wojahn spoke in favor of the amendment.

#### POINT OF INFORMATION

Mr. King: "I would like to address a question to anyone about the construction of the language 'each school which provides showers, toilets and training room facilities.' With the construction of the word 'and' there, to anybody—any attorney or anyone who follows the law—that would mean that the school would have to provide all of those facilities in order to come under the other part of the language. Shouldn't we have the word 'or' there? I just put that out as a question."

Mr. Charette: "Mr. Speaker, members of the House, I guess this would be up to the proposers of the amendment, but I would suggest that Representative King has raised a valid point. If you use the conjunctive 'and,' I don't believe you should use the disjunctive 'or.' It should be another 'or' there."

Mr. Polk: "Mr. Speaker, with the consent of the House, I would ask that the word 'and' be changed to 'or.' After 'toilets' and before 'training' strike 'and' and insert 'or.'"

The Speaker announced that the amendment would read as Mr. Polk had requested.

Mr. Bond spoke in opposition to the amendment.

Mr. Douthwaite demanded the previous question and the demand was sustained.

The amendment was adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 26 following "sex" and before the semicolon insert "where the presence of a person would not be embarrassing to those of the opposite sex"

Representatives Kuehnle, Randall, Pardini and Bond spoke in favor of the amendment, and Representatives Cochrane, Douthwaite and Blair spoke against it.

Mr. Kuehnle spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle to Substitute House Bill No. 413, and the amendment was not adopted by the following vote: Yeas, 37; nays, 55; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Dunlap, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Kuehnle, Leckenby, May, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Smith R., Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Hanna, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, Perry, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Jueling, Luders, Matthews, O'Brien, Williams.

Mr. Zimmerman moved adoption of the following amendment by Representatives Charette and Zimmerman:

On page 2, beginning on line 13 strike all material down to and through line 18 ending with "sex." and insert at the beginning of line 13 the following: "opportunities to receive coaching and instruction; laundry services; assignment of game officials; opportunities for competition, publicity and awards; scheduling of games and practice times including use of courts, gyms, and pools: PROVIDED, That such scheduling of games and practice times shall be determined by local administrative authorities after consideration of the public and student interest in attending and participating in various recreational and athletic activities.

Each school shall provide comparable shower, toilet, and training room facilities for both sexes, but may provide such facilities separately for each sex."

Mr. Polk moved adoption of the following amendment to the Charette/Zimmerman amendment:

On line 2 of the amendment after "line" strike "18 ending with sex" and insert "16 ending with "awards" and strike the second paragraph beginning with "Each school" and ending with "each sex."

Representatives Polk and Charette spoke in favor of the amendment to the amendment, and it was adopted.

The amendment by Representatives Charette and Zimmerman as amended was adopted.

The Clerk read the following amendment by Representatives Ehlers, Sommers and Gaspard:

On page 2, line 18 after "each sex." insert a new paragraph as follows:

"Where comparable facilities for recreational and athletic activities as described under this subsection would be otherwise unavailable, equal access to existing facilities shall be made available to each sex."

With the consent of the House, Mr. Ehlers withdrew the amendment.

Mr. Polk moved adoption of the following amendment:

On page 2, line 23 after "specific sports." insert a new paragraph as follows:

"Nothing in this section, or relative to the application or interpretation of these provisions, shall be construed to require the integration of both sexes in conducting intramural and/or competitive sports."

Mr. Polk spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

Representatives Polk, Berentson and Barnes spoke in favor of the amendment, and Ms. Cochrane spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Polk to Substitute House Bill No. 413, and the amendment was not adopted by the following vote: Yeas, 40; nays, 53; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Bond, Chandler, Clemente, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner,

Hendricks, Hurley M., Jastad, Juelling, Kuehne, Leckenby, Luders, Newhouse, North, Paris, Parker, Patterson, Polk, Randall, Schumaker, Sherman, Smith R., Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Eng, Erickson, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Kalich, Kilbury, King, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Pardini, Perry, Peterson, Savage, Seeberger, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Fischer, Gaines, Knowles, Nelson, Williams.

Mr. Polk moved adoption of the following amendment:

On page 3, line 4 after "school districts." strike all of section 4 and renumber the remaining sections consecutively.

Mr. Polk spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

The amendment was not adopted.

Mrs. Hurley (Margaret) moved adoption of the following amendment:

On page 3, line 13 after "34.04 RCW" insert a period and strike all the material down to and including line 20.

Representatives Hurley (Margaret) and Blair spoke in favor of the amendment, and Representatives Wojahn, Bauer and Pardini spoke against it.

Mrs. Hurley spoke again in favor of the amendment, and Mr. Hurley (George) spoke in opposition to it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (Margaret) to Substitute House Bill No. 413, and the amendment was not adopted by the following vote: Yeas, 42; nays, 49; not voting, 7.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Clemente, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Haley, Hansen, Hayner, Hendricks, Hurley M., Juelling, Kilbury, Knowles, Kuehne, Leckenby, Lee, Luders, Lysen, Matthews, Nelson, Paris, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Tilly, Warnke, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Hanna, Hawkins, Hurley G. S., Kalich, King, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Perry, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Wojahn, and Mr. Speaker.

Not voting: Representatives Hansey, Haussler, Jastad, Laughlin, Newhouse, Williams, Zimmerman.

Mr. Deccio moved adoption of the following amendment:

On page 3, line 21 add a new section as follows:

"NEW SECTION, Sec. 6. This law will be construed to be null and void unless adequate funds are provided by the superintendent of public instruction to the school districts to fully implement the legislation."

Renumber the remaining sections consecutively.

Mr. Deccio spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

#### POINT OF INQUIRY

Mr. Deccio requested Mrs. Wojahn to yield to question, and Mrs. Wojahn refused to yield.

Mr. Freeman demand an electric roll call and the demand was sustained.

Representatives Shinpoch and Freeman spoke in favor of the amendment, and Ms. Cochrane spoke against it.

Mr. Conner demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Deccio to Substitute House Bill No. 413, and the amendment was not adopted by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Conner, Curtis, Deccio, Dunlap, Eikenberry, Eng, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Juelling, Knowles, Kuehne, Leckenby, Luders, Lysen, Matthews, Nelson, Newhouse, Paris, Parker, Patterson, Polk, Randall, Schumaker, Shinpoch, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Ehlers, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Laughlin, Lee, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Perry, Peterson, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Bagnariol, Williams.

Mrs. Hurley (Margaret) moved adoption of the following amendment:

On page 1, line 26 following "sex" and before the semicolon insert "unless the assignment of a member of one sex would prove embarrassing to those of the opposite sex"

#### POINT OF ORDER

Mr. Pardini: "Mr. Speaker, this and the subsequent amendment by Representatives Chandler and Hayner on page 1, line 26, address the same area that Representative Kuehnle tried to amend approximately 30 minutes ago. It addresses essentially the same subject and in the same manner. I would ask the Chair to rule both amendments out of order."

#### SPEAKER'S RULING

The Speaker: "Reed's Rule 136 would support your point of order in that it says 'if an amendment is decided in the negative it cannot be repeated although it may be again proposed to insert the same words with others, or a part of the same words with others, provided a substantially new proposition be thereby presented.' The Speaker, in looking over the two amendments can find no new thought presented because one says 'the presence of a person' and the other says 'an assignment of a member' and the Speaker can't find where this is a difference. Therefore I will have to rule your amendment out of order, Representative Hurley."

Mr. Chandler moved adoption of the following amendment by Representatives Chandler and Hayner:

On page 1, line 26 following "sex" and before the semicolon insert "except where such assignment would include duty in areas of situations, such as but not limited to a shower room, where persons might be disrobed"

#### POINT OF ORDER

Mr. Pardini: "Mr. Speaker, I would cite to you Reed's Rule 133, and suggest to the Speaker that this amendment is also out of order."

#### SPEAKER'S RULING

The Speaker: "Representative Pardini, in considering the former amendment, I do think that this is presenting a new proposition to this extent: One is a specific act of disrobing and the other is the general area of embarrassment. I think the general area of embarrassment covers a much greater field than the more intensified area that people might consider disrobing to be, or walking around where people are in the nude. I think there is a difference in the proposition being presented to the members now."

Mr. Pardini: "Mr. Speaker, I would call your attention to line 3 of the amendment which says 'such as, but not limited to.' It again opens up the entire broad field with that type of wording. It is now specifically restricted to the question of disrobing."

The Speaker: "But I think that when you are talking about the area of disrobing where people might be completely nude that it has a different connotation or a different proposition than the entire field of embarrassment."

Representatives Chandler, Hayner, Hurley (Margaret), Pardini and Greengo spoke in favor of the amendment, and Representatives Wojahn and Douthwaite spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Chandler and Hayner to Substitute House Bill No. 413, and the amendment was adopted by the following vote: Yeas, 59; nays, 37; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Chandler, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, Knowles, Kuehnle, Leckenby, Lee, Luders, Lysen, Matthews, May, McCormick,

Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Peterson, Polk, Schumaker, Shinpoch, Smith R., Tilly, Warnke, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Adams, Bauer, Becker, Ceccarelli, Charette, Charnley, Chatalas, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Hawkins, Hurley G. S., King, Laughlin, Martinis, Maxie, McKibbin, Moon, Moreau, O'Brien, Perry, Randall, Savage, Seeberger, Sherman, Smith E. P., Sommers, Thompson, Valle, Wojahn, Zimmerman.

Not voting: Representatives Haussler, Williams.

**Mr. Kuehnle moved adoption of the following amendment:**

On page 3, line 8 following "determine." insert "No person who is injured as a result of participation in any contact sport shall have any recourse whatever against any other participant in that sport or against the sanctioning school or any of its agents."

#### SPEAKER'S RULING

The Speaker: "Representative Kuehnle, I am afraid that the Speaker is going to have to rule this amendment is beyond the scope and object of the bill. You are going into completely new matter—adjudication of the rights of individuals is way beyond the scope of this because we are talking here about equal rights in regard to athletics in general school events and you are going into injuries and completely new matter that I think the committee should look into in detail because it would have serious legal consequences. I think it is beyond the scope and I will have to rule it out of order."

#### MOTION

Mr. Kuehnle moved that Substitute House Bill No. 413 be rereferred to Committee on Education.

Mr. Kuehnle spoke in favor of the motion, and Mr. Charette spoke against it.

The motion was not carried.

Substitute House Bill No. 413 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Friday, March 21, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Friday, March 21, 1975.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative McCormick, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kay Holland and Randy Sanford. Prayer was offered by Reverend Paul J. Beeman of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGE FROM THE GOVERNOR

March 20, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 20, 1975, Governor Evans approved the following House Bills, entitled:

**SUBSTITUTE HOUSE BILL NO. 24:** Permitting waiver of three year residency requirement for admission to the state soldiers' home.

**HOUSE BILL NO. 127:** Increasing tax per television set in TV reception improvement districts.

**HOUSE BILL NO. 142:** Requiring that a copy of every adverse decision and order in administrative proceedings be transmitted to the party's attorney of record.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

#### MESSAGES FROM THE SENATE

March 20, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2047,  
SUBSTITUTE SENATE BILL NO. 2086,  
SENATE BILL NO. 2309,  
ENGROSSED SENATE BILL NO. 2422,  
ENGROSSED SENATE BILL NO. 2530,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2616,  
SENATE BILL NO. 2633,  
SENATE JOINT MEMORIAL NO. 110,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 20, 1975

Mr. Speaker:

The President has signed:



## SENATE BILL NO. 2215,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

## HOUSE BILL NO. 1047, by Representative Gaines:

AN ACT Relating to the support of emergency medical services; and adding new sections to chapter 79, Laws of 1947 and to chapter 48.14 RCW.

To Committee on Ways and Means - Revenue

## HOUSE BILL NO. 1048, by Representatives May, Adams and Haley:

AN ACT Relating to fire and life safety.

To Committee on Rules

## HOUSE BILL NO. 1049, by Representatives Polk, Flanagan, Curtis, Dunlap, Gilleland, Freeman, Kuehnle, Amen, Matthews, Jueling, Schumaker, Deccio and Bond:

AN ACT Relating to unemployment compensation; amending section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030; amending section 78, chapter 35, Laws of 1945 as amended by section 6, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.20.100; amending section 77, chapter 35, Laws of 1945 as amended by section 12, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.090; amending section 19, chapter 2, Laws of 1970 ex. sess. as last amended by section 2, chapter 7, Laws of 1973 2nd ex. sess. and RCW 50.04.323; amending section 73, chapter 35, Laws of 1945 as last amended by section 21, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.050; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.120; adding a new section to chapter 50.20 RCW to be designated as RCW 50.20.065; adding a new section to chapter 50.40 RCW; and declaring an emergency.

To Committee on Labor

## HOUSE BILL NO. 1050, by Representatives Kilbury, Amen and Becker:

AN ACT Relating to grain inspection; making an appropriation; and declaring an emergency.

To Committee on Agriculture

## HOUSE BILL NO. 1051, by Representatives Martinis, Jastad and Schumaker:

AN ACT Relating to compensation for fish and wildlife losses; amending section 77.12.320, chapter 36, Laws of 1955 as amended by section 1, chapter 67, Laws of 1974 ex. sess. and RCW 77.12.320; and adding a new section to chapter 77.12 RCW.

To Committee on Natural Resources

## HOUSE BILL NO. 1052, by Representatives Thompson, Charette, Conner, Kilbury, Moreau, Clemente, Bauer, Bausch, King, Cochrane, Becker, Savage, Martinis, Moon, Laughlin and Zimmerman:

AN ACT Relating to industrial insurance; amending section 26, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.010; amending section 28, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.030; and adding new sections to chapter 51.14 RCW.

To Committee on Commerce

## HOUSE BILL NO. 1053, by Representatives Gaspard, Erickson, Ehlers and Seeberger:

AN ACT Relating to garbage and refuse collection; adding a new section to chapter 81.77 RCW; and providing penalties.

To Committee on Commerce

## HOUSE BILL NO. 1054, by Representatives Barnes, Eikenberry, Hurley (Margaret), Knowles, Lee, Fischer, Bond, Freeman and Hendricks:

AN ACT Relating to controlled substances; adding new sections to chapter 69.50 RCW; defining crimes; and prescribing penalties.

To Committee on Judiciary

**HOUSE BILL NO. 1055**, by Representatives Valle, Charnley, Fischer, Smith (Edward), Hawkins, Cochrane, May, Sherman, Moon, Kilbury and Eng:

AN ACT Relating to public health and safety; adding a new chapter to Title 70 RCW; providing an effective date; and prescribing penalties.

To Committee on Commerce

**HOUSE BILL NO. 1056**, by Representatives Fortson, Charette, Hansen, North, Parker, Bender, Clemente, Fischer, Hurley (George), Flanagan, May and Gallagher:

AN ACT Relating to inheritance taxation; and amending section 83.08.020, chapter 15, Laws of 1961 and RCW 83.08.020.

To Committee on Ways and Means - Revenue

**HOUSE BILL NO. 1057**, by Representatives Parker, Fischer and Jastad:

AN ACT Relating to pharmacists; amending section 1, chapter 98, Laws of 1935 as last amended by section 1, chapter 18, Laws of 1973 1st ex. sess. and RCW 18.64.001; amending section 2, chapter 98, Laws of 1935 as amended by section 17, chapter 38, Laws of 1963 and RCW 18.64.003; amending section 3, chapter 98, Laws of 1935 as last amended by section 2, chapter 18, Laws of 1973 1st ex. sess. and RCW 18.64.005; and adding new sections to chapter 18.64 RCW.

To Committee on Social and Health Services.

**HOUSE JOINT RESOLUTION NO. 52**, by Representatives Pardini, Paris, Newhouse, Juelling, Flanagan, Deccio, Lee, Dunlap, Kuehnle, Leckenby, Amen, Brown, Haley, Zimmerman, Polk, Barnes, Hansey, Hendricks, Patterson, Nelson, Gilleland, Wilson, Chandler, Matthews, Eikenberry, Curtis and Freeman:

Establishing certain legislative session limitations.

To Committee on Constitution and Elections

**ENGROSSED SENATE BILL NO. 2047**, by Senator Day:

Requiring the preservation of hospital treatment records.

To Committee on Social and Health Services

**SUBSTITUTE SENATE BILL NO. 2086**, by Committee on Judiciary (Originally sponsored by Senators Marsh, Francis and Buffington):

Changing certain laws relating to the guardianship of incompetents.

To Committee on Judiciary

**SENATE BILL NO. 2309**, by Senator Marsh (by Department of Social and Health Services request):

Establishing concurrent jurisdiction between the United States and Washington to veterans hospitals located at Vancouver, Walla Walla and American Lake.

To Committee on Social and Health Services

**ENGROSSED SENATE BILL NO. 2422**, by Senator Rasmussen:

Extending use of special parking permits for handicapped persons.

To Committee on Social and Health Services

**ENGROSSED SENATE BILL NO. 2530**, by Senator Walgren:

Relating to highways.

To Committee on Transportation and Utilities

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2616**, by Committee on Natural Resources (Originally sponsored by Senators Wilson, Newschwander and Day):

Requiring notice and a hearing before an exchange of state land.

To Committee on Natural Resources

SENATE BILL NO. 2633, by Senators Woody and Stortini:

Directing state board of education to authorize high school credits for persons accepted into the national guard high school career training.

To Committee on Education

SENATE JOINT MEMORIAL NO. 110, by Senators Sandison, Peterson, Benitz and Morrison:

Memorializing Congress to exempt duck hunting from requirements of federal environmental policy act.

To Committee on Natural Resources

#### MOTION

On motion of Mr. Thompson, all bills and resolutions listed on today's agenda were referred to the committees designated with the exception of House Bill No. 1052, to be referred to Committee on Labor.

#### REPORTS OF STANDING COMMITTEES

March 19, 1975

HOUSE BILL NO. 67, Prime Sponsor: Representative Nelson, providing for popular election of mayor in council-manager code cities. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Cochrane, Eng, Fischer, McCormick, North, Smith (Edward).

To Committee on Rules for second reading.

March 19, 1975

HOUSE BILL NO. 167, Prime Sponsor: Representative Bausch, authorizing the establishment and operation of a municipal race track. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Cochrane, Fischer, Lee, McCormick, North, Smith (Edward), Wilson.

To Committee on Rules for second reading.

March 19, 1975

HOUSE BILL NO. 484, Prime Sponsor: Representative Maxie, authorizing superior court judges in class AA counties to transfer to the county the administration of juvenile program. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Patterson, Sherman.

To Committee on Rules for second reading.

March 18, 1975

HOUSE BILL NO. 720, Prime Sponsor: Representative Moreau, authorizing state colleges of education to offer degrees through master's degree subject to review and recommendations by the legislature. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Maxie, Chairwoman; Moreau, Vice Chairman; Bond, Charnley, Nelson, Patterson, Perry, Peterson, Savage, Wojahn.

To Committee on Rules for second reading.

March 20, 1975

HOUSE BILL NO. 821, Prime Sponsor: Representative Lee, authorizing hcstels. Reported by Committee on Parks and Recreations.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hurley (Margaret), Chairwoman; Gaines, Vice Chairman; Lee, North, Paris, Peterson, Randall, Seeberger, Smith (Edward).

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Charette, the House advanced to the seventh order of business.

#### THIRD READING

**SUBSTITUTE HOUSE BILL NO. 239**, by Committee on Financial Institutions (Originally sponsored by Representatives Ehlers, King, Thompson, Shipoch, Gaspard, Zimmerman, Bender, Clemente, Conner, Moon, Brown, Moreau, Wojahn, McCormick, Sherman, Williams, Erickson, Boldt, Hawkins, Bagnariol, Smith (Rick), Bauer, Savage, Haley, Charnley, Gaines, Hendricks and Laughlin):

Protecting employee's insurance benefits.

The bill was read the third time and placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 239, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Polk.

Not voting: Representative McCormick.

Substitute House Bill No. 239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 346**, by Representatives Bagnariol, Erickson and Randall (by Department of Revenue request):

Pertaining to sales and use taxes.

The bill was read the third time and placed on final passage.

Mr. Bagnariol spoke in favor of the bill, and Representatives Eikenberry and Curtis spoke against it.

Mr. Bagnariol spoke again in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Bagnariol, all the discussion so far on this subject has been in regard to personal liability of the people in the corporation, the employees, etc. What I want to know is—assume the corporation goes bankrupt and subsequently they liquidate all the fixed assets, or whatever it is they do to put money in the pot to pay off the creditors. Does this give the Department of Revenue the top priority on this revenue that would be in the pot after all the assets are liquidated?"

Mr. Bagnariol: "I think the Department has priority on those kinds of dollars now, Representative Flanagan. What this bill does is allow the Department to collect the sales tax revenues that have been paid into the corporation by filing suit against the person who was responsible for referring the sales tax dollars to the state. For example, currently if you happen to be a business and you are not a corporation and you are collecting sales tax and you go bankrupt, they can come after you, personally. What has happened to us in the state is

that we have had a lot of instances where people have come into our state, formed corporations, rapidly made a lot of sales, bankrupted the corporation and there was no way for the Department to go after the individuals who, in effect, stole the taxpayers' money."

Mr. Flanagan: "The point I was interested in was that you say under present law that if there are other creditors that may have sold products to this company, that the Department of Revenue would come ahead of any other person who sold anything to this corporation that hadn't been paid for, is that right?"

Mr. Bagnariol: "I'm not clear on the law, Representative Flanagan, maybe somebody else can answer that. I think the Department has first call if that should be the case; however we are not talking about loans or products costs or anything else, we are talking about the sales tax paid by the consumer to the corporation that belongs to the state. I really can't clear up your question regarding the current law."

Representatives Moon and Randall spoke in favor of the bill, and Representatives Curtis and Eikenberry spoke in opposition to it.

#### POINT OF INQUIRY

Mr. Hurley (George) requested Mr. Curtis to yield to question, and Mr. Curtis refused to yield.

Mr. Moon spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 346, and the bill passed the House by the following vote: Yeas, 69; nays, 27; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charney, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussier, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Paris, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Lee, Matthews, Newhouse, Pardini, Parker, Polk, Schumaker, Zimmerman, and Mr. Speaker.

Not voting: Representatives McCormick, Tilly.

Engrossed House Bill No. 346, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ENGROSSED HOUSE BILL NO. 861, by Representatives Bagnariol and Shipoch:

Adopting a legislative budget.

The bill was read the third time and placed on final passage.

Representatives Shipoch and Newhouse spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "I was listening closely and I think you said that if we had been able to go to a split session this year we would have been able to save 'X' number of dollars. My question, Representative Bagnariol, is—can I conclude from that that we will not be going into a split session this year?"

Mr. Bagnariol: "No, you can't, Representative Kuehnle. It doesn't appear at this point in time that that will occur but I really don't know. If it should occur I think we could get the job done in less legislative days than it will take us by going straight through, but that is only my opinion and is not a decision that has been made by anyone yet."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 861, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charney, Chatalas, Clemente,

Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kuehnle, Lysen, Moon, Schumaker, Williams.

Not voting: Representative McCormick.

Engrossed HOse Bill No. 861, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 8, by Representatives Brown, King and Lysen:

Amending the Constitution to permit a bill to take effect ninety days after the governor's signature.

The resolution was read the third time and placed on final passage.

Representatives Brown and King spoke in favor of the resolution, and Representative Pardini spoke against it.

Mr. Pardini demanded an oral roll call, and the demand was sustained.

Mr. Ceccarelli demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative McCormick.

On motion of Mr. Thompson, the absent member was excused and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be final passage of House Joint Resolution No. 8.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 8, and the resolution failed to pass the House by the following vote: Yeas, 62; nays, 35; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, King, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative McCormick.

#### NOTICE OF RECONSIDERATION

Mr. King, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which House Joint Resolution No. 8 failed to pass the House.

#### THIRD READING

ENGROSSED SENATE BILL NO. 2171, (as amended by the House) by Senators Francis and Clarke (by Judicial Council request):

Imposing fine and jail for willful failure to appear before superior court after release on bail or personal recognizance.

The bill was read the third time and placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2171 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative McCormick.

Engrossed Senate Bill No. 2171 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

SENATE BILL NO. 2079, (as amended by the House) by Senators Henry, Murray and Beck (by Department of Motor Vehicles request):

Facilitating the refund of erroneously paid camper and trailer tax.

The bill was read the third time and placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Kuehnle: "If I understood correctly, Representative Hansen stated that the Senate had passed Senate Bill No. 2079 in the special session. Now it is my assumption that it was repassed in the form in which it was originally passed by the Senate."

The Speaker: "That is correct, Representative Kuehnle."

Mr. Kuehnle: "Then it has come over here and we are now in the process of passing the bill on third reading in the same form that we passed it on third reading after the second reading amendment, but in a different form than it was passed by the Senate?"

The Speaker: "That is correct."

Mr. Kuehnle: "So the House amendment is on the bill, we can pass it back and they can concur or ask for a conference, or whatever?"

The Speaker: "That is correct."

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2079 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative McCormick.

Senate Bill No. 2079 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## POINT OF PERSONAL PRIVILEGE

Mr. Luders: "I had given notice to a number of people that I would attempt to override the Governor's partial veto on House Bill No. 1181. As a result of continued activity on my part we thought we had a good chance at this, but we couldn't get sufficient votes in either House to guarantee the two-thirds majority that would be required. I would like to state here, though, that I feel that the issue that relates to the activities of government where people are being pushed around by government is getting to be a major problem the magnitude of such that I now have in my committee a bill with 67 signatures on it which would effectively kill shorelines management. The first complaint of those signers, I am sure from what they have told me, is that a lot of little people feel that government has gone beyond what it should do and I feel that though House Bill No. 1181 is now dead, the issue is not dead."

## MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business.

## SECOND READING

## MOTION

On motion of Mr. Thompson, the House deferred consideration of House Bill No. 343 and the bill was ordered held for Monday's second reading calendar.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 431, by Representatives Barnes, Haley, Parker, Lee, Hawkins, Becker, Sommers, Eikenberry, Chatalas and Blair:

Permitting administration of medication to aged persons in boarding homes under certain circumstances.

The bill was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 401, by Committee on Social and Health Services (Originally sponsored by Representatives Paris, Shinpoch, Chandler, Adams, Parker, Fortson, Bond and Deccio):

Adding new provisions to laws relating to burial.

The bill was read the second time.

## MOTION

On motion of Mr. Charette, further consideration of Substitute House Bill No. 401 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 651.

HOUSE BILL NO. 544, by Representatives Perry, Zimmerman and Kilbury:

Clarifying the powers of joint operating agencies (power commission).

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-third Day, February 24, 1975.)

On motion of Mr. Perry, the committee amendments were adopted.

House Bill No. 544 was ordered engrossed and passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. Charette, consideration of House Bill No. 578 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 401.

HOUSE BILL NO. 651, by Representatives Adams, Paris, Parker, Bauer and Fortson:

Making changes in the laws relating to chiropractic.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 651 was substituted for House Bill No. 651, and the substitute bill was placed on the calendar for second reading.



Substitute House Bill No. 651 was read the second time and passed to Committee on Rules for third reading.

**SUBSTITUTE HOUSE BILL NO. 401:**

The House resumed consideration of Substitute House Bill No. 401 on second reading.

Mr. Douthwaite moved adoption of the following amendment:

On page 1, section 2, line 13 after "sea" strike everything through "shoreline" on line 15.

Mr. Douthwaite spoke in favor of the amendment, and Representatives Paris and Parker spoke against it.

The amendment was not adopted.

Mr. Douthwaite moved adoption of the following amendment:

On page 1, section 2, line 21 after "burial" strike "at least three feet"

Mr. Douthwaite spoke in favor of the amendment, and Representatives Paris and Parker spoke against it.

The amendment was not adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 15 after "shoreline." strike all material down to and including "surface" on line 22 and insert "Cremated remains, the largest particle size of which does not exceed one cubic centimeter, may be buried on land. Cremated remains which exceed one cubic centimeter in size may be buried on land, but should be in a container and must be buried at least three feet below the surface: PROVIDED, That nothing in this section shall allow the burial of any cremated remains on private property without the permission of the owner.

Cremated remains, when buried at sea, may be removed from their container before burial."

Representatives Kuehnle, Shinpoch and Haley spoke in favor of the amendment, and it was adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 2, line 4 following "at sea or on" strike "private property" and insert "land"

Representatives Kuehnle and Paris spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 401 was ordered engrossed, and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 578**, by Representatives Bauer, Brown, Bender, Fortson, Clemente, McKibbin and Seeberger:

Adding restriction on the distribution of state aid to school districts on basis of ratio of pupils per classroom teacher.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-eighth Day, March 11, 1975.)

On motion of Mr. Bauer, the committee amendments were adopted.

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman and Hayner:

On page 2, line 7 after "district" insert ": PROVIDED, That the schools of a district shall be considered in compliance with the teacher-student ratio requirement established hereby if the district provides such assistance to the classroom teacher, through the utilization of such teacher's aids (who shall have completed such program of training and instruction in the field as is established by the board of the district and approved by the superintendent of public instruction) and helping teachers in the various disciplines, as the superintendent of public instruction determines will result in educational progress substantially equivalent to that achieved by the ratio otherwise established"

Representatives Zimmerman and Hayner spoke in favor of the amendment, and Mr. Bauer spoke against it.

Mr. Conner demanded an electric roll call and the demand was sustained.

Representatives Fortson and Nelson spoke against adoption of the amendment.

## POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Bauer, the way I read this the school district which does not comply with this ratio as established in this amendment will not be eligible for the distribution of state funds under the apportionment formula, is that right?"

Mr. Bauer: "That is correct. However the state board is directed to make rules and regulations for compliance and it must certainly take under consideration the physical impossibilities of a school district building a new room or whatever."

Mr. Zimmerman spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Zimmerman and Hayner to House Bill No. 578, and the amendment was not adopted by the following vote: Yeas, 14; nays, 78; not voting, 6.

Voting yea: Representatives Amen, Bond, Curtis, Deccio, Douthwaite, Flanagan, Greengo, Hayner, Kuehnle, Newhouse, Pardini, Randall, Schumaker, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Gilleland, Jueling, Laughlin, Leckenby, McCormick, Sommers.

House Bill No. 578 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 760, by Representatives Warnke and Bausch:

Permitting deduction of retired allowance for payment of health care.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifty-second Day, March 5, 1975.)

On motion of Mr. Ceccarelli, the committee amendment was adopted.

Mr. Blair moved adoption of the following amendment by Representatives Blair and Warnke:

On page 1, section 1, line 8 after "employees" strike everything down to the comma on line 9.

Representatives Blair and Warnke spoke in favor of the amendment, and it was adopted.

House Bill No. 760 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 13, by Representatives Lysen, Gaines, Clemente and Valle:

Requesting the President and Congress terminate the airline mutual aid agreement.

The memorial was read the second time and passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 18, by Representatives Kalich, Jastad, Thompson, Paris, Charette and Smith (Edward):

Requesting that the post office at Deep River not be closed.

The memorial was read the second time and passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 27, by Representatives Savage, Conner and Hanna:

Providing automatic carry-over of bills from one session to the next.

The resolution was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment, see Journal, Forty-seventh Day, February 28, 1975.)

Mr. King moved adoption of the committee amendment.

Mr. Eikenberry moved adoption of the following amendment to the committee amendment:

On page 1, line 3 of the committee amendment after "law" and before "at" insert "as a result of passage"

Representatives King and Eikenberry spoke in favor of the amendment to the committee amendment, and it was adopted.

The committee amendment as amended was adopted.

House Joint Resolution No. 27 was ordered engrossed and passed to Committee on Rules for third reading.

### MOTION

On motion of Mr. Charette, consideration of House Bill No. 118 was deferred, and the bill was ordered held for Monday's second reading calendar.

HOUSE BILL NO. 176, by Representatives Ceccarelli, Pardini, Hendricks and Matthews:

Providing for public employee deferred compensation.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-fourth Day, March 7, 1975.)

On motion of Mr. Ceccarelli, the committee amendments were adopted.

House Bill No. 176 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 480, by Representatives Savage, Conner, Freeman, Wojahn, Matthews, Haley, McKibbin, King, May and Cochrane:

Creating the department of labor and industries revolving fund.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 563, by Representatives Charnley, Brown, King and Hawkins:

Instructing absentee voters on write-in procedure.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 750, by Representatives Haussler, Amen, Charette, Newhouse, Wojahn, Lee, Lysen, Ehlers and Zimmerman:

Permitting libraries to pay in advance for books.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 171, by Representatives Hansen, Hayner and Clemente (by Department of Highways request):

Prescribing motor vehicle gross weight limits.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 175, by Representatives Hansen, Nelson and Clemente (by Department of Highways request):

Removing gross weight limitations for vehicles operated within project boundaries.

The bill was read the second time and passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. Charette, the House advanced to the eighth order of business.

## RESOLUTIONS

HOUSE RESOLUTION NO. 75-24, by Representatives Parker, Erickson, Haley, Hanna, Gallagher, Adams, Gaspard, Jueling, Ehlers and Hawkins:

WHEREAS, The Legislature of the State of Washington finds that health planning and resource development is necessary to promote, maintain and assure a high level of health for all citizens of the State; and

WHEREAS, The purpose of such health planning and resource development is to increase the accessibility, acceptability, continuity and quality of health services, health manpower, health facilities and other resources, to restrain increases in the cost of providing health services, and to prevent unnecessary duplication of health resources; and

WHEREAS, Such health planning and marshalling of health resources is necessary on both a statewide and regional basis in order to maintain responsiveness to changing health and social needs and conditions; and

WHEREAS, Public Law 93-641, section 1511, requires the governors of the states to designate, with the approval of the Secretary of the Department of Health, Education and Welfare, health service area boundaries for the purpose of regional health planning and resource development;

NOW, THEREFORE, BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES, That the Governor designate three health service areas in the State of Washington with the following boundaries: The Northwestern Health Service Area shall include Whatcom, Skagit, Snohomish, King, Clallam, Jefferson and Kitsap Counties; Pierce, Mason, Island, Grays Harbor, Thurston, Pacific, Lewis, Wahkiakum, Cowlitz, Clark, Skamania, San Juan and Klickitat Counties shall comprise the Southwestern Area; the Eastern Area shall include Yakima, Kittitas, Chelan, Douglas, Grant, Benton, Walla Walla, Columbia, Garfield, Asotin, Adams, Whitman, Okanogan, Ferry, Franklin, Stevens, Pend Oreille, Lincoln and Spokane Counties.

Mr. Parker moved adoption of the resolution.

Mrs. Fortson moved adoption of the following amendments:

On line 19 after "Snohomish," insert "Island,"

On line 19 after "Mason," strike "Island,"

Representatives Fortson and Parker spoke in favor of the amendments and they were adopted.

Representative Parker spoke in favor of adoption of the resolution as amended, and Mr. Amen spoke against it.

Mr. Parker spoke again in favor of the resolution and Mr. Newhouse spoke against it.

## POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Blair.

Mr. Blair: "I was glancing through the identification of the particular counties that go in all the various areas and I am not really familiar with this proposal, but I do see that San Juan County is included in the Southwestern Area. Could that have been a typographical error? I believe that San Juan County is about as far Northwest as you can get in the state of Washington."

Mr. Parker: "Yes, I'm sorry, I would have to agree with you. I would support an amendment to put it right."

On motion of Mr. Parker, the following amendment by Representatives Parker and Blair was adopted:

In the last paragraph of the resolution after "Skagit," insert "San Juan," and after "Skamania," strike "San Juan,"

Mr. Amen spoke against adoption of the resolution as amended, and Mr. Parker spoke again in favor of it.

## POINT OF INQUIRY

Mr. Parker yielded to question by Mr. McKibbin.

Mr. McKibbin: "Representative Parker, not having the benefit of the testimony, first of all I would like to ask what testimony have you referred to—was it committee testimony or some special hearings that you have held? Secondly, I would like to know who prepared the division of these districts in this particular manner?"

Mr. Parker: "We have a subcommittee that has been discussing this piece of legislation for some time in terms of the total overall impact and we had this prepared as a discussion piece on it, but basically, the three districts philosophy was one that just came up by the sponsors of the resolution."

Mr. McKibbin spoke against the resolution.

## MOTION

On motion of Mr. Charette, further consideration of House Resolution No. 75-24 was deferred, and the resolution was ordered held for Monday's calendar.

## MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 168 was rereferred from Committee on Ways and Means – Appropriations to Committee on Local Government.

On motion of Mr. Thompson, HOUSE BILL NO. 441 was rereferred from Committee on Local Government to Committee on Ecology.

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Monday, March 24, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## ELEVENTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Monday, March 24, 1975.

The House was called to order at 10:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Hayner and Smith (Edward) who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kimberly Gale and Dan Fortson. Prayer was offered by Reverend Donald Notedurft of the United Methodist Church of Camas.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGE FROM THE GOVERNOR

March 21, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 21, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 1: Authorizing irrigation districts to pay certain insurance premiums.

HOUSE BILL NO. 160: Fixing maximum maturity of certificates of deposit by mutual savings banks at six years.

HOUSE BILL NO. 276: Authorizing municipal corporations and political subdivisions to purchase liability insurance for their officers, agents and employees.

HOUSE BILL NO. 406: Authorizing retired teachers to have health insurance premiums deducted from their retirement allowances.

HOUSE BILL NO. 456: Expanding definition of "public bodies" that can participate in water supply bonds.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

#### MESSAGE FROM THE SENATE

March 21, 1975

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 2731,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1058, by Representative Kilbury:

AN ACT Relating to motor vehicles; and repealing section 46.52.050, chapter 12, Laws of 1961 and RCW 46.52.050.

To Committee on Judiciary

HOUSE BILL NO. 1059, by Representative Luders:

AN ACT Relating to title insurers; amending section .14.02, chapter 79, Laws of 1947 as amended by section 9, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.020; amending section 21, chapter 190, Laws of 1949 and RCW 48.14.080; adding a new section to chapter 48.14 RCW; and repealing section 29.15, chapter 79, Laws of 1947 and RCW 48.29.150.

To Committee on Ways and Means - Revenue

**HOUSE BILL NO. 1060, by Representatives Chandler, North, Charette, Hayner and Pardini:**

AN ACT Relating to fire districts; and adding a new section to chapter 52.36 RCW.

To Committee on Local Government

**HOUSE BILL NO. 1061, by Representatives Berentson, Conner, Hansey, Thompson, Paris, Moon, Schumaker and Wilson:**

AN ACT Relating to forest practices; amending section 2, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.020; amending section 4, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.040; amending section 5, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.050; amending section 6, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.060; amending section 7, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.070; amending section 8, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.080; amending section 9, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.090; amending section 14, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.140; amending section 17, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.170; amending section 18, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.180; amending section 22, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.220; amending section 24, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.240; amending section 26, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.260; amending section 32, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.310; amending section 30, chapter 137, Laws of 1974 ex. sess. and RCW 90.48.420; adding new sections to chapter 137, Laws of 1974 ex. sess. and to chapter 76.09 RCW; repealing section 3, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.030; repealing section 10, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.100; repealing section 16, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.160; and providing penalties.

To Committee on Natural Resources

**HOUSE BILL NO. 1062, by Representatives Perry and Charnley:**

AN ACT Relating to public transportation; amending section 7, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.272; amending section 13, chapter 255, Laws of 1969 ex. sess. as amended by section 1, chapter 54, Laws of 1974 ex. sess. and RCW 35.58.278; amending section 2, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.045; amending section 1, chapter 87, Laws of 1972 ex. sess. as amended by section 5, chapter 54, Laws of 1974 ex. sess. and RCW 82.44.150; adding new sections to chapter 36.57 RCW; adding new sections to chapter 82.14 RCW; repealing sections 1 through 9, chapter 136, Laws of 1973 1st ex. sess. and RCW 35.58.2731; repealing section 6, chapter 54, Laws of 1974 ex. sess.; prescribing an effective date; and declaring an emergency.

To Committee on Transportation and Utilities

**HOUSE BILL NO. 1063, by Representatives Perry and Charnley:**

AN ACT Relating to public transportation; amending section 7, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.272; amending section 13, chapter 255, Laws of 1969 ex. sess. as amended by section 1, chapter 54, Laws of 1974 ex. sess. and RCW 35.58.278; amending section 2, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.045; amending section 82.44.020, chapter 15, Laws of 1961 as amended by section 2, chapter 199, Laws of 1963 and RCW 82.44.020; amending section 82.44.110, chapter 15, Laws of 1961 as last amended by section 3, chapter 54, Laws of 1974 ex. sess. and RCW 82.44.110; amending section 1, chapter 87, Laws of 1972 ex. sess. as amended by section 5, chapter 54, Laws of 1974 ex. sess. and RCW 82.44.150; adding new sections to chapter 36.57 RCW; adding new sections to chapter 82.44 RCW; repealing sections 1 through 9, chapter 136, Laws of 1973 1st ex. sess. and RCW 35.58.2731; repealing section 6, chapter 54, Laws of 1974 ex. sess.; prescribing an effective date; and declaring an emergency.

To Committee on Transportation and Utilities

**HOUSE BILL NO. 1064, by Representatives Fischer, Jastad, Parker and Lysen:**

AN ACT Relating to the practice of pharmacy; providing for pharmacy technologists and the licensing thereof; adding new sections to Title 18 RCW as a new chapter thereto; and providing penalties.

To Committee on Commerce

**HOUSE BILL NO. 1065, by Representatives Ceccarelli and Polk:**

AN ACT Relating to savings and loan associations; amending section 25, chapter 235, Laws of 1945 as amended by section 25, chapter 130, Laws of 1973 and RCW 33.16.110; and amending section 14, chapter 107, Laws of 1969 as amended by section 31, chapter 130, Laws of 1973 and RCW 33.24.280.

To Committee on Financial Institutions

**HOUSE BILL NO. 1066, by Representative Fischer:**

AN ACT Relating to salaries of state officers and employees; amending section 1, chapter 130, Laws of 1891 as last amended by section 1, chapter 59, Laws of 1969 and RCW 42.16.010; and adding a new section to chapter 42.16 RCW.

To Committee on State Government

**HOUSE BILL NO. 1067, by Representative Fischer:**

AN ACT Relating to school district certificated employees; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW; and providing penalties.

To Committee on Education

**HOUSE BILL NO. 1068, by Representative Wojahn:**

AN ACT Relating to the practice of geology and geophysics; creating a new chapter in Title 18 RCW; and providing penalties.

To Committee on Natural Resources

**HOUSE BILL NO. 1069, by Representatives Hansey, Berentson, Deccio and Wilson:**

AN ACT Relating to the forest practices act; and repealing sections 1 through 37, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.010 through 76.09.280, 76.09.900, 76.09.905, 76.09.910, 76.09.915, 76.09.920, 76.09.925, 76.09.930, and 76.09.935.

To Committee on Natural Resources

**HOUSE BILL NO. 1070, by Representatives Clemente, Perry, Bender, Chandler, Lee and Hansen:**

AN ACT Relating to business and occupation taxes; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; creating a new section; and declaring an emergency.

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1071, by Representatives Fortson, Bender, Hurley (George), North, Wilson, Hansen, Fischer, Gaines, Paris, Laughlin, Bauer, May, McKibbin and Seeberger:**

AN ACT Relating to revenue and taxation; and amending section 1, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.381.

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1072, by Representatives Berentson, Hansey, Hansen, Newhouse, Kalich, Curtis, Schumaker, Deccio, Whiteside, Hayner, Freeman, Wilson, Greengo, Nelson, Hendricks, Patterson, Gilleland, Flanagan and Fortson:**

AN ACT Relating to electrical contractors; amending section 1, chapter 30, Laws of 1969 as last amended by section 1, chapter 188, Laws of 1974 ex. sess. and RCW 19.28.120; repealing section 2, chapter 188, Laws of 1974 ex. sess. and RCW 19.28.123; and repealing section 4, chapter 188, Laws of 1974 ex. sess. and RCW 19.28.125.

To Committee on Commerce

**HOUSE BILL NO. 1073, by Representative Perry:**

AN ACT Relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 185, Laws of 1974 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 2, chapter 185, Laws of 1974 ex. sess. and RCW 82.12.030; amending section 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440; amending section 29, chapter 175, Laws of 1971 ex. sess. and RCW 82.38.280; adding a new section to chapter 82.08 RCW; prescribing an effective date; and declaring an emergency.

To Committee on Transportation and Utilities

**HOUSE BILL NO. 1074, by Representatives Lysen, King, Fischer, Bender, Clemente and Kilbury:**

AN ACT Relating to labor regulations; and adding a new chapter to Title 49 RCW.

To Committee on Labor



**HOUSE BILL NO. 1075, by Representatives Curtis and Polk:**

AN ACT Relating to state funds; adding a new section to chapter 43.79 RCW; and declaring an emergency.

To Committee on Ways and Means – Appropriations

**HOUSE BILL NO. 1076, by Representative Smith (Rick):**

AN ACT Relating to financial responsibility; and repealing section 38, chapter 169, Laws of 1963 and RCW 46.29.380.

To Committee on Judiciary

**HOUSE BILL NO. 1077, by Representatives Martinis, Conner and Häussler:**

AN ACT Relating to the state building code; and amending section 8, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.080.

To Committee on State Government

**HOUSE BILL NO. 1078, by Representatives Martinis, Moreau, Kalich, Matthews and Wilson:**

AN ACT Relating to forest practices; amending section 5, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.050; amending section 6, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.060; amending section 7, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.070; amending section 9, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.090; amending section 18, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.180; amending section 24, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.240; amending section 32, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.910; and adding a new section to chapter 137, Laws of 1974 ex. sess. and to chapter 76.09 RCW.

To Committee on Natural Resources

**HOUSE BILL NO. 1079, by Representatives Douthwaite and Paris:**

AN ACT Relating to the consumption of alcoholic beverages; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; and adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.28 RCW.

To Committee on Higher Education

**HOUSE JOINT RESOLUTION NO. 53, by Representatives Wilson, Erickson, Brown, Thompson, Lee, Zimmerman, Charnley, Hurley (George), Peterson, Chandler, Fortson, Wojahn, Smith (Edward), North, Smith (Rick) and McKibbin:**

Authorizing income tax to support common schools.

To Committee on Ways and Means – Revenue

**REENGROSSED SENATE BILL NO. 2731, by Senators Lewis (Harry) and Peterson:**

Providing for training in trapping before license is issued.

To Committee on Natural Resources

**MOTION**

On motion of Mr. Thompson, all bills and resolutions listed on today's agenda were referred to the committees designated.

**REPORTS OF STANDING COMMITTEES**

March 20, 1975

**HOUSE BILL NO. 437, Prime Sponsor: Representative Charnley, specifying types of signs permissible which are visible from highways. Reported by Committee on Transportation and Utilities.**

**MAJORITY recommendation: Do pass with the following amendments:**

On page 3, following section 2 add new sections to read as follows:

"Sec. 3. Section 7, chapter 62, Laws of 1971 ex. sess. as last amended by section 2, chapter 154, Laws of 1974 ex. sess. and RCW 47.42.062 are each amended to read as follows:

Signs within six hundred and sixty feet of the nearest edge of the right of way which are visible from the main traveled way of the primary system within commercial and industrial areas and whose size, lighting, and spacing are consistent with the customary use of property for the effective display of outdoor advertising as set forth in this section may be erected and maintained: *Provided*, That this section shall not serve to restrict type 3 signs located along any portion of the primary system within an incorporated city or town or within any commercial or industrial area.

(1) General: Signs shall not be erected or maintained which (a) imitate or resemble any official traffic sign, signal, or device; (b) are erected or maintained upon trees or painted or drawn upon rocks or other natural features and which are structurally unsafe or in disrepair; or (c) have any visible moving parts.

(2) Size of signs:

(a) The maximum area for any one sign shall be six hundred seventy-two square feet with a maximum height of twenty-five feet and maximum length of fifty feet inclusive of any border and trim but excluding the base or apron, supports and other structural members: *Provided*, That cut-outs and extensions may add up to twenty percent of additional sign area.

(b) For the purposes of this subsection, double-faced, back-to-back, or V-type signs shall be considered as two signs.

(c) Signs which exceed three hundred twenty-five square feet in area may not be double-faced (abutting and facing the same direction).

(3) Spacing of signs:

(a) Signs may not be located in such a manner as to obscure, or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic.

(b) On limited access highways established pursuant to chapter 47.52 RCW no two signs shall be spaced less than one thousand feet apart, and no sign may be located within three thousand feet of the center of an interchange, a safety rest area, or information center, or within one thousand feet of an intersection at grade. Double-faced signs shall be prohibited. Not more than a total of five sign structures shall be permitted on both sides of the highway per mile.

(c) On noncontrolled access highways inside the boundaries of incorporated cities and towns not more than a total of four sign structures on both sides of the highway within a space of six hundred sixty feet shall be permitted with a minimum of one hundred feet between sign structures. In no event, however, shall more than four sign structures be permitted between platted intersecting streets or highways. On noncontrolled access highways outside the boundaries of incorporated cities and towns minimum spacing between sign structures on each side of the highway shall be five hundred feet.

(d) For the purposes of this subsection, a back-to-back sign and a V-type sign shall be considered one sign structure.

(e) Official signs, and signs advertising activities conducted on the property on which they are located shall not be considered in determining compliance with the above spacing requirements. The minimum space between structures shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply to signs located on the same side of the highway.

(4) Lighting: Signs may be illuminated, subject to the following restrictions:

(a) Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited, except those giving public service information such as time, date, temperature, weather, or similar information.

(b) Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the highway and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

(c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device, or signal.

(d) All such lighting shall be subject to any other provisions relating to lighting of signs presently applicable to all highways under the jurisdiction of the state.

Sec. 4. Section 8, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.063 are each amended to read as follows:

(1) Signs within six hundred and sixty feet of the nearest edge of the right of way lawfully erected and maintained which are visible from the main traveled way of the primary system within commercial and industrial areas on June 1, 1971 shall be permitted to remain and be maintained.

(2) Signs within six hundred and sixty feet of the nearest edge of the right of way which are visible from the main traveled way of the primary system within commercial and industrial areas whose size, lighting, and spacing are consistent with customary use as set forth in RCW 47.42.062 may be erected and maintained. Signs lawfully erected and maintained on June 1, 1971 shall be included in the determination of spacing requirements for additional signs.

Sec. 5. Section 9, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.065 are each amended to read as follows:

Notwithstanding any other provision of chapter 47.42 RCW, ~~((the commission shall adopt regulations permitting the erection and maintenance of))~~ signs may be erected and maintained ~~((which are))~~ more than six hundred and sixty feet from the nearest edge of the right of way ~~((and))~~ which are visible from the main traveled way of the interstate system, primary system, or scenic system ~~((which are))~~ when designed and oriented to be viewed from highways or streets other than the interstate system, primary system, or the scenic system and the advertising or informative contents of ~~((such signs))~~ which may not be clearly comprehended by motorists using the main traveled way of the interstate system, primary system or scenic system."

Renumber the remaining section consecutively.

On page 1, line 3 after "RCW 47.42.040;" insert "amending section 7, chapter 62, Laws of 1971 ex. sess. as last amended by section 2, chapter 154, Laws of 1974 ex. sess. and RCW 47.42.062; amending section 8, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.063; amending section 9, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.065;"

Signed by Representatives Perry, Chairman; Barnes, Bender, Chandler, Charnley, Clemente, Conner, Douthwaite, Dunlap, Gaines, Gilleland, Hansen, Hayner, Kalich, Laughlin, Leckenby, Lee, Patterson, Schumaker, Seeberger, Sherman.

To Committee on Rules for second reading.

March 20, 1975

HOUSE BILL NO. 590, Prime Sponsor: Representative Berentson, reducing the tax on aircraft fuel. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 13 after "delivered" and before "or" strike " , stored,"

On page 1, line 25 after "delivered" and before "or" strike " , stored,"

Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Ceccarelli, Chandler, Charnley, Clemente, Conner, Douthwaite, Gilleland, Hansen, Kalich, Laughlin, Lee, Patterson, Seeberger.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Dunlap, Schumaker.

To Committee on Rules for second reading.

March 21, 1975

HOUSE BILL NO. 665, Prime Sponsor: Representative Charette, permitting public auction of state material valued at \$10,000 or less. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following section 1 insert a new section as follows:

"NEW SECTION. Sec. 2. This 1975 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."

On page 1, line 1 of the title after "lands;" strike "and" and on line 3 after "RCW 79.01.200" insert " ; and declaring an emergency"

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Leckenby, Nelson, Williams.

To Committee on Rules for second reading.

March 21, 1975

HOUSE BILL NO. 735, Prime Sponsor: Representative Kilbury, deleting requirement that official newspapers be printed in the city where published. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Fischer, Lee, Paris, Smith (Edward), Whiteside.

To Committee on Rules for second reading.

March 21, 1975

ENGROSSED SENATE BILL NO. 2300, Prime Sponsor: Senator Sandison, permitting resident of the Washington state historical society to have representative in his name on the Washington state board on geographic names. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson, Williams.

To Committee on Rules for second reading.

## SECOND READING

## MOTION

On motion of Mr. Charette, consideration of House Bill No. 343 and House Bill No. 118 was deferred, and the bills were ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 177, by Representatives Leckenby, Hansen and McCormick (by Office of Program Planning and Fiscal Management request):

Making changes in laws relating to all-terrain vehicles.

The bill was read the second time.

On motion of Mr. Hansen, Substitute House Bill No. 177 was substituted for House Bill No. 177, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 177 was read the second time.

Mr. Zimmerman moved adoption of the following amendment:

On page 1, section 1, beginning on line 19 after "RCW" strike all the matter down to and including "biennium)" and insert "for the ((1973-75)) 1975-77 biennium"

Mr. Zimmerman spoke in favor of the amendment, and Mr. Hansen spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representative Zimmerman:

On page 2, line 6 strike section 3 and insert the following:

"NEW SECTION. Sec. 3. The department of motor vehicles, in conjunction with the department of revenue, shall conduct a study of the tax receipts allocable under the provisions of chapter 46.09 RCW as now or hereafter amended. Such study shall be completed on or before July 1, 1976. The results of the study and any recommendations shall be transmitted to the governor and the chairman of the legislative transportation committee by August 1, 1976."

With the consent of the House, Mr. Zimmerman withdrew the amendment.

Substitute House Bill No. 177 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 340, by Representatives Charnley, Peterson and Douthwaite:

Providing for the acquisition and disposition of documents or materials by the museum of the University of Washington.

The bill was read the second time.

On motion of Ms. Maxie, Substitute House Bill No. 340 was substituted for House Bill No. 340, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 340 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 462, by Representatives Flanagan, Amen, Hansen, Kilbury, Newhouse, Curtis and Tilly:

Exempting irrigation systems from shorelines management.

The bill was read the second time.

On motion of Mr. Luders, Substitute House Bill No. 462 was substituted for House Bill No. 462, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 462 was read the second time.

Mr. Berentson moved adoption of the following amendment:

On page 4, after line 36 add a new subsection to read as follows:

"(ix) Operation and maintenance of any system of dikes, ditches, drains, other water courses, or other facilities currently existing which were created, developed or utilized as a part of a drainage or diking system."

Mr. Charnley moved adoption of the following amendment to the amendment:

On the third line of the amendatory language following "as a part of" strike "a" and insert "an agricultural"

Representatives Charnley and Berentson spoke in favor of the amendment to the amendment.

## POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Martinis.

Mr. Martinis: "Representative Berentson, your amendment to the amendment—does this in any way alter the hydraulics act?"

Mr. Berentson: "I can't really answer that question, Representative Martinis, maybe Representative Flanagan can. We are doing just the opposite with this amendment that he had hoped to accomplish with the irrigated land. As to whether it alters the hydraulics act, Representative Flanagan says no."

Mr. Martinis: "For the record, is it your understanding that these amendments or this bill do not alter the hydraulics act?"

Mr. Berentson: "Yes."

The amendment to the amendment was adopted, and the amendment by Representative Berentson as amended was adopted.

## MOTION

Mr. Conner, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Berentson as amended was adopted.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "What is the status of Representative Becker's request for a division of the House?"

The Speaker (Mr. O'Brien presiding): "The Speaker had already announced that the amendment as amended was adopted, so now we have a motion to reconsider the vote."

Ms. Becker spoke in favor of the motion to reconsider, and Mr. Berentson spoke against it.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Conner to reconsider the vote by which the amendment by Representative Berentson as amended to Substitute House Bill No. 462 was adopted, and the motion was carried by the following vote: Yeas, 81; nays, 9; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Charnley, Deccio, Gallagher, Jueling, May, Newhouse, Schumaker, Sherman.

Not voting: Representatives Greengo, Hayner, Luders, Lysen, Matthews, Polk, Smith E. P., Wilson.

## MOTION

On motion of Mr. Luders, further consideration of Substitute House Bill No. 462 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 573.

HOUSE BILL NO. 523, by Representatives Hayner and Kilbury:

Requiring counties to pay salary and expenses of stream patrolmen.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 569, by Representatives Fortson, Hendricks, Bender, Seeberger, Bauer and Clemente:

Limiting accreditation of public schools on basis of ratio of pupils to classroom teachers.

The bill was read the second time.

## MOTION

On motion of Mr. Charette, further consideration of House Bill No. 569 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 573, by Representatives Luders, Kuehnle, Knowles, Schumaker, Haussler, Amen and Patterson:

Creating grass burning research advisory committee and setting forth its powers and duties.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendment, see Journal, Forty-seventh Day, February 28, 1975.)

On motion of Mr. Luders, the committee amendment was adopted.

House Bill No. 573 was ordered engrossed and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 462:

The House resumed consideration of Substitute House Bill No. 462 on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the vote by which the amendment by Representative Berentson as amended had been adopted.

Representatives Luders and Newhouse spoke in favor of the amendment, and Ms. Becker spoke against it.

Mr. Hansey demanded an electric roll call, and the demand was sustained.

Mr. Berentson spoke in favor of the amendment.

## MOTION

On motion of Mr. Charette, further consideration of Substitute House Bill No. 462 was deferred, and the bill was ordered held for tomorrow's calendar.

## MOTION

Mr. Charette moved that HOUSE BILL NO. 666 be rereferred to Committee on Ways and Means.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Williams: "As Representative Charette has said, according to our House rules the bill should be referred to the full Ways and Means Committee. My question is—is the bill, since it has proceeded in opposition to our rules, before this body?"

The Speaker (Mr. O'Brien presiding): "In connection with your question as to whether or not the Ways and Means Committee has approved an appropriation of this nature, in accordance with Rule 82, it states '...any bill containing an appropriation with a financial impact over a four year period in excess of ten million dollars...shall be approved by the entire Ways and Means Committee.' Apparently, the bill came out originally with the approval of the Ways and Means Subcommittee on Appropriations."

Mr. Williams: "I understand that, and I agree with that, but I am curious and my question is, if a bill has moved out of committee not according to our rules, where, in fact, does the bill reside? In other words, I am asking for a ruling of where the bill actually is."

The Speaker (Mr. O'Brien presiding): "All you do in that case, Mr. Williams, is to do what is being done now—make a motion to rerefer it to the committee and have the committee act on it correctly."

## MOTION

Mr. Newhouse moved that the motion be amended, that the rules be suspended and House Bill No. 666 be placed on the calendar for immediate consideration.

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The question before the House is the motion to rerefer House Bill No. 666 to Committee on Ways and Means. Mr. Newhouse, your motion is out of order. It is an incidental motion and the motion to submit is of higher rank."

## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Amen.

Mr. Amen: "Representative Charette, if this goes back to Ways and Means Committee are we assured that it will have prompt action and come out? We have been informed that the federal government may take action on this fairly soon and we have to have some action on this as soon as possible."

Mr. Charette: "Representative Amen, your question of whether it will have prompt action or not is beside the point. What I have said to this body is (and I guess maybe some of the other members ought to admit this once in awhile) we made a mistake. Now we are going back and try to correct that mistake. I don't think there is anything wrong with making a mistake so long as when you discover that you have you are either man or woman enough to stand up in public and say, 'Gosh, I goofed, now let's correct it.' I believe that this is an important piece of legislation and it will get a hearing before the Ways and Means Committee, and if it gets a majority of the votes on that committee then it will be back before the body. In my opinion, although it can only be my opinion, we will probably get a majority of the votes."

The motion by Mr. Charette to rerefer House Bill No. 666 to Committee on Ways and Means was carried.

HOUSE BILL NO. 970, by Representative Douthwaite:

Regulating water rights.

On motion of Mr. Luders, Substitute House Bill No. 970 was substituted for House Bill No. 970, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 970 was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2203, by Senators Peterson, Rasmussen and Lewis (Harry):

Requiring revocation of hunting license on conviction for certain violations against the game code.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2268, by Senators Rasmussen, Scott and Bailey (by State Treasurer request):

Directing the investment of current state funds.

The bill was read the second time.

Mr. Pardini moved adoption of the following amendment:

On page 1, line 8 after "as follows:" on line 7 strike all material down to and including "finance committee:" on line 20 and insert the following:

"Whenever there is in any fund or in cash balances in the state treasury more than sufficient to meet the current expenditures properly payable therefrom, the state finance committee, or upon authorization from the state finance committee then the state treasurer, may invest or reinvest such portion of such funds or balances as the state treasurer deems expedient in the following defined securities or classes of investments: PROVIDED, That the state treasurer shall provide a monthly report of such investments and reinvestments to the state finance committee:"

Representatives Pardini and Sommers spoke in favor of the amendment, and it was adopted.

Engrossed Senate Bill No. 2268 as amended by the House was passed to Committee on Rules for third reading.

## THIRD READING

HOUSE BILL NO. 174, by Representatives Nelson, Hansen and Lee (by Department of Highways request):

Precluding the use of highway centerline as corporate boundaries.

The bill was read the third time and placed on final passage.

Representatives Nelson and North spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 174, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hayner, Lysen, Smith E. P.

House Bill No. 174, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 393, by Representatives Smith (Rick), Pardini, Wojahn and Hanna (by Department of Employment Security request):

Modernizing language referring to mentally incompetent persons.

The bill was read the third time and placed on final passage.

Representative Smith (Rick) spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Eikenberry.

Mr. Eikenberry: "My recollection of the testimony before the committee was that the redesignation of terms as carried out in this bill would (1) meet with the modern psychiatric terminology that would apply to people in these various categories, and (2) the purpose was to provide a more dignified term of reference to use in dealing with these persons. My question to you is, is there any intent on the part of the bill as you understand it, or on the part of the committee to change the category of these persons so far as funding or type of treatment that may be available?"

Mr. Knowles: "Absolutely not. It was not the intent of the bill or the committee. I believe that precise question was asked in committee and received a negative answer as to whether or not it made any particular changes in it. The purpose of the bill merely is definition, to change the terms that are currently used in the law—terms like idiot, imbecile, moron—which, if you will recall in prior law were chronologically aged. This bill merely changes those definitions as pertains to mentally incompetent and physically handicapped people—physically retarded."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 393, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hayner, Smith E. P.



House Bill No. 393, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 631**, by Committee on Constitution and Elections (Originally sponsored by Representatives King, Brown, Fortson, Sherman and Erickson):

Providing for date absentee ballots considered voted when postmark missing or illegible.

The bill was read the third time and placed on final passage.

Representatives King, Brown and Moon spoke in favor of the bill, and Representatives Peterson, Parker, Polk and Greengo spoke against it.

Representatives King and Moon spoke again in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 631, and the bill passed the House by the following vote: Yeas, 62; nays, 34; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Bond, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hendricks, Hurley M., Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Hayner, Smith E. P.

Substitute House Bill No. 631, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### RESOLUTIONS

#### MOTION

On motion of Mr. Charette, House Resolution No. 75-24 was rereferred to Committee on Social and Health Services.

#### MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 1064 was rereferred from Committee on Commerce to Committee on Social and Health Services.

On motion of Mr. Thompson, HOUSE BILL NO. 713 was rereferred from Committee on Transportation and Utilities to Committee on Social and Health Services.

### POINT OF PERSONAL PRIVILEGE

Mr. King notified the House that he would not move for reconsideration of the vote by which HOUSE JOINT RESOLUTION NO. 8 failed to pass the House.

#### MOTION

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Tuesday, March 25, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**TWELFTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wash., Tuesday, March 25, 1975.

The House was called to order at 10:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present. The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jennie Christensen and Mike Jessup. Prayer was offered by Pastor Glen D. Cole of the Evergreen Christian Center of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGE FROM THE SENATE**

March 24, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2117,  
SENATE BILL NO. 2131,  
SENATE BILL NO. 2297,  
SENATE BILL NO. 2440,  
SUBSTITUTE SENATE BILL NO. 2495,  
SENATE BILL NO. 2513,

SENATE CONCURRENT RESOLUTION NO. 103,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

**INTRODUCTION AND FIRST READING**

**HOUSE BILL NO. 1080, by Representatives Moon and Clemente:**

AN ACT Relating to the utilities and transportation commission; and adding a new chapter to Title 81 RCW.

To Committee on Transportation and Utilities

**HOUSE BILL NO. 1081, by Representatives Luders and Charnley:**

AN ACT Relating to environmental pollution; adding a new chapter to Title 70 RCW; and declaring an emergency.

To Committee on Ecology

**HOUSE BILL NO. 1082, by Representative Hayner:**

AN ACT Relating to parks; and adding a new section to chapter 43.51 RCW.

To Committee on Parks and Recreation

**HOUSE BILL NO. 1083, by Representatives Fischer, Fortson, Bond, Barnes and North:**

AN ACT Relating to education; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.05 RCW; and providing for the payment of certain fees and the disposition thereof.

To Committee on Education

**HOUSE BILL NO. 1084, by Representatives Charnley, Zimmerman, McCormick, Douthwaite and Hawkins:**

AN ACT Relating to marine pollution; amending section 1, chapter 30, Laws of 1973 2nd ex. sess. and RCW 43.21A.405; amending section 2, chapter 30, Laws of 1973 2nd ex. sess. and RCW 43.21A.410; and amending section 4, chapter 30, Laws of 1973 2nd ex. sess. and RCW 43.21A.420.

To Committee on Ecology

**HOUSE BILL NO. 1085, by Representatives Parker, Bagnariol, Newhouse, Moon, Valle, Fortson, Fischer, Seeberger, Gaspard, Adams, Maxie, North, Hanna, McCormick, Savage, Kilbury, Hendricks and Haley:**

AN ACT Relating to financial discrimination; adding a new section to chapter 49.60 RCW; prescribing penalties; and declaring an emergency.

To Committee on Financial Institutions

**HOUSE BILL NO. 1086, by Representative Valle:**

AN ACT Relating to revenue and taxation; adding a new title to the Revised Code of Washington; amending section 82.04.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230; amending section 82.04.240, chapter 15, Laws of 1961 as last amended by section 3, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.240; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 4, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.250; amending section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 6, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.270; amending section 2, chapter 8, Laws of 1970 ex. sess. as last amended by section 5, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.280; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 8, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.290; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 281, Laws of 1971 ex. sess. and RCW 82.08.020; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 185, Laws of 1974 ex. sess. and RCW 82.08.030; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 281, Laws of 1971 ex. sess. and RCW 82.12.020; amending section 82.12.030 chapter 15, Laws of 1961 as last amended by section 2, chapter 185, Laws of 1974 ex. sess. and RCW 82.12.030; creating new sections; and providing an effective date.

To Committee on Ways and Means - Revenue

**HOUSE BILL NO. 1087, by Representatives Smith (Rick) and Knowles:**

AN ACT Relating to probate; and amending section 22, chapter 117, Laws of 1974 ex. sess. and RCW 11.68.100.

To Committee on Judiciary

**HOUSE BILL NO. 1088, by Representative Knowles:**

AN ACT Relating to the administrative procedure act; and amending section 14, chapter 234, Laws of 1959 as amended by section 87, chapter 81, Laws of 1971 and RCW 34.04.140.

To Committee on Judiciary

**HOUSE BILL NO. 1089, by Representatives Parker, Gaines, Conner, Gallagher, Adams and Savage:**

AN ACT Relating to banking; creating the Bank of Washington; and adding a new chapter to Title 30 RCW.

To Committee on Financial Institutions

**HOUSE BILL NO. 1090, by Representatives Ceccarelli, Leckenby and Schumaker:**

AN ACT Relating to liquor law violations; adding a new section to chapter 66.44 RCW; and declaring an emergency.

To Committee on Judiciary

**HOUSE BILL NO. 1091, by Representatives Chatalas, Polk and Greengo:**

AN ACT Relating to the University of Washington; authorizing the sale and issuance of state general obligation bonds and bond anticipation notes to finance the acquisition, construction, remodeling, furnishing or equipping of certain University of Washington hospital facilities; providing ways and means of payment of such bonds; adding new sections to Title 28B RCW; and declaring an emergency.

To Committee on Higher Education

**HOUSE BILL NO. 1092, by Representatives Gallagher, Wilson, Bagnariol and May:**

AN ACT Relating to the state environmental policy act; amending section 2, chapter 109, Laws of 1971 ex. sess. and RCW 43.21C.020; and amending section 3, chapter 109, Laws of 1971 ex. sess. and RCW 43.21C.030.

To Committee on Ecology

**HOUSE BILL NO. 1093, by Representatives Flanagan, Newhouse and Hansen:**

AN ACT Relating to revenue and taxation; amending section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 1st ex. sess. and RCW 84.55.010; and repealing section 2, chapter 67, Laws of 1973 1st ex. sess. (uncodified).

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1094, by Representatives Charnley, Brown, Ehlers, Wilson, Sherman, Chandler, Hurley (George), McKibbin, Haley, Moreau and Matthews:**

AN ACT Relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 185, Laws of 1974 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 2, chapter 185, Laws of 1974 ex. sess. and RCW 82.12.030; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; making an appropriation; and making an effective date.

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1095, by Representatives Cochrane, Hawkins, Boldt and Becker:**

AN ACT Relating to local government elections; adding a new chapter to Title 29 RCW; repealing sections 35.17.240 through 35.17.350, chapter 7, Laws of 1965 and RCW 35.17.240 through 35.17.350; and repealing sections 1 through 3, chapter 81, Laws of 1973 1st ex. sess. and RCW 35A.11.080 through 35A.11.100.

To Committee on Local Government

**HOUSE BILL NO. 1096, by Representative Douthwaite:**

AN ACT Relating to water districts; amending section 3, chapter 18, Laws of 1959 and RCW 57.12.020; adding new sections to chapter 57.06 RCW; and declaring an emergency.

To Committee on Local Government

**HOUSE BILL NO. 1097, by Representatives Tilly, Haussler and Zimmerman:**

AN ACT Relating to regulation of development and sale of lands; and adding a new section to chapter 58.19 RCW.

To Committee on Commerce

**HOUSE BILL NO. 1098, by Representatives Hanna, Patterson, Chatalas, Blair, Charnley, McKibbin, Douthwaite, King and Perry:**

AN ACT Relating to alcoholic beverages; making the age of nineteen years the legal age for purposes relating thereto; 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 3, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.16.040; 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; repealing section 2, chapter 49, Laws of 1965 and RCW 66.44.291; and repealing section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315.

To Committee on Commerce

**HOUSE BILL NO. 1099, by Representatives Randall, Erickson, Brown and Sommers:**

AN ACT Relating to revenue; authorizing political subdivisions to impose service charges for certain necessary services; creating new sections; and declaring an emergency.

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1100, by Representatives Gaspard and North:**

AN ACT Relating to utility rates; amending section 35.92.010, chapter 7, Laws of 1965 and RCW 35.92.010; amending section 35.92.020, chapter 7, Laws of 1965 and RCW 35.92.020; and amending section 14, chapter 72, Laws of 1967 and RCW 36.94.140.

To Committee on Transportation and Utilities

**HOUSE BILL NO. 1101, by Representatives Charnley, Patterson and Maxie:**

AN ACT Relating to community colleges; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW.

To Committee on Higher Education

**HOUSE BILL NO. 1102, by Representatives Clemente and Warnke:**

AN ACT Relating to pensions; and adding a new chapter to Title 41 RCW.

To Committee on Ways and Means – Appropriations

**HOUSE BILL NO. 1103, by Representatives King, Brown, Polk, Blair, Erickson, Hawkins, Moreau, Seeberger and Sherman:**

AN ACT Relating to elections; and adding a new section to chapter 29.34 RCW.

To Committee on Constitution and Elections

**HOUSE BILL NO. 1104, by Representatives Erickson, Wilson and Laughlin:**

AN ACT Relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW.

To Committee on Education

**HOUSE BILL NO. 1105, by Representatives Randall, Smith (Rick), Douthwaite and Brown:**

AN ACT Relating to the safeguarding of valuable land areas; and adding a new chapter to Title 70 RCW.

To Committee on Parks and Recreation

**HOUSE BILL NO. 1106, by Representatives Erickson, Randall, Brown, Nelson and Matthews:**

AN ACT Relating to revenue and taxation; amending section 3, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.385; amending section 84.69.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 122, Laws of 1974 ex. sess. and RCW 84.69.020; and declaring an emergency.

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1107, by Representatives Ceccarelli, Blair, Hanna, Sommers and Bagnariol:**

AN ACT Relating to alcoholic beverage control; and amending section 23–M added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter 117, Laws of 1969 and RCW 66.24.320.

To Committee on State Government

**HOUSE BILL NO. 1108, by Representatives King, Eikenberry, Perry, Conner, Pardini and Moon:**

AN ACT Relating to insurance; amending section 19.03, chapter 79, Laws of 1947 and RCW 48.19.030; and adding a new section to chapter 48.30 RCW.

To Committee on Financial Institutions

**HOUSE BILL NO. 1109, by Representatives Paris, Thompson, Blair, Charette, Fischer, Whiteside, Ceccarelli, Tilly, Haussler, Matthews, Dunlap, Freeman, Chandler, Randall, Curtis, Knowles, Hendricks, Haley, Kuehnle, Polk, Wojahn, Conner, Smith (Rick), Amen, Gaspard, Parker, Zimmerman and Bender:**

AN ACT Relating to natural disasters; amending section 8, chapter 7, Laws of 1967 as amended by section 20, chapter 195, Laws of 1973 1st ex. sess. and RCW 35.32A.060; and amending section 36.34.145, chapter 4, Laws of 1963 and RCW 36.34.145.

To Committee on Judiciary

**HOUSE BILL NO. 1110, by Representatives Hurley (Margaret), Fortson, Barnes, Deccio and Kilbury:**

AN ACT Relating to crimes and punishment; amending section 2, chapter 133, Laws of 1955 and RCW 9.95.010; amending section 1, chapter 138, Laws of 1961 and RCW 9.95.015; amending section 5, chapter 133, Laws of 1955 as amended by section 2, chapter 138, Laws of 1961 and RCW 9.95.040; amending section 1, chapter 67, Laws of 1972 ex. sess. and RCW 9.95.052; amending section 8, chapter 133, Laws of 1955 and RCW 9.95.070; amending section 12, chapter 133, Laws of 1955 and RCW 9.95.110; amending section 5, chapter 20, Laws of 1973 and RCW 72.66.016; and adding new sections

to chapter 9.95 RCW.

To Committee on Judiciary

**HOUSE BILL NO. 1111, by Representatives Wilson, Martinis and Hawkins:**

AN ACT Relating to shellfish; creating a new section; and declaring an emergency.

To Committee on Natural Resources

**HOUSE BILL NO. 1112, by Representatives Cochrane, Moon, Hawkins, Bender, Douthwaite, Chandler and Blair:**

AN ACT Relating to tax exemptions; adding a new section to chapter 8, Laws of 1965 and to chapter 43.88 RCW; and adding a new section to chapter 40, Laws of 1973 2nd ex. sess. and to chapter 84.36 RCW.

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1113, by Representatives Moon, Matthews, McKibbin, Martinis, Adams, Parker, Eng, Hanna, Moreau, Gaspard, Erickson, Laughlin, Gallagher, Kalich, McCormick, Ehlers, Fischer and Haley:**

AN ACT Relating to the establishment, conduct, licensing and regulating of greyhound racing upon a parimutuel system; adding a new chapter to Title 67 RCW; and prescribing penalties.

To Committee on State Government

**HOUSE BILL NO. 1114, by Representatives Sommers, Savage and Cochrane:**

AN ACT Relating to labor regulations; adding a new chapter to Title 49 RCW; and prescribing penalties.

To Committee on Labor

**HOUSE BILL NO. 1115, by Representatives Haussler and Amen:**

AN ACT Relating to criminal justice training; and amending section 8, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.080.

To Committee on State Government

**HOUSE BILL NO. 1116, by Representative Seeberger:**

AN ACT Relating to juvenile courts; adding a new section to chapter 13.04 RCW; and declaring an emergency.

To Committee on Judiciary

**HOUSE BILL NO. 1117, by Representative Bagnariol:**

AN ACT Relating to food fish and shellfish; amending section 75.32.030, chapter 12, Laws of 1955 as last amended by section 1, chapter 10, Laws of 1963 ex. sess. and RCW 75.32.030; amending section 13, chapter 212, Laws of 1955 and RCW 75.32.051; amending section 75.32.070, chapter 12, Laws of 1955 as last amended by section 1, chapter 63, Laws of 1973 1st ex. sess. and RCW 75.32.070; adding a new section to chapter 75.32 RCW; prescribing an effective date; and declaring an emergency.

To Committee on Natural Resources

**HOUSE BILL NO. 1118, by Representatives Hanna, Fischer, Haley, Peterson, Hawkins and Blair:**

AN ACT Relating to wine labeling; and amending section 45, chapter 62, Laws of 1933 ex. sess. as amended by section 4, chapter 172, Laws of 1939 and RCW 66.28.110.

To Committee on Commerce

**HOUSE BILL NO. 1119, by Representatives Parker and Adams:**

AN ACT Relating to health; amending section 2, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.010; amending section 3, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.020; and amending section 4, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.030.

To Committee on Social and Health Services

**HOUSE BILL NO. 1120, by Representatives Sommers and Randall:**

AN ACT Relating to revenue and taxation; amending section 2, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.010; amending section 3, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.020; amending section 4, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.030; amending section 5, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.040; amending section 6, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.050; amending section 7, chapter 187, Laws of 1973 1st ex. sess. and

RCW 82.29.060; amending section 8, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.070; amending section 9, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.080; amending section 10, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.090; amending section 11, chapter 187, Laws of 1973 1st ex. sess. and RCW 84.36.450; adding a new section to chapter 187, Laws of 1973 1st ex. sess. and to chapter 84.36 RCW; adding a new section to chapter 84.40A RCW; prescribing expiration dates; prescribing an effective date; and declaring an emergency.

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1121, by Representatives Bender, Fortson, Brown, Erickson, Gaspard, Clemente, Hurley (George), Valle, Haley, Hendricks, Hansen, Sherman, Dunlap and Gaines:**

AN ACT Relating to the limiting of administrative positions in school districts; adding a new section to chapter 223, Laws of 1969 ex. sess. and chapter 28A.41 RCW; providing penalties; and making an effective date.

To Committee on Education

**HOUSE BILL NO. 1122, by Representatives Randall and Smith (Rick):**

AN ACT Relating to revenue and taxation; and amending section 84.36.110, chapter 15, Laws of 1961 as amended by section 71, chapter 299, Laws of 1971 ex. sess. and RCW 84.36.110.

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1123, by Representatives Randall, Nelson, Sommers and Smith (Rick):**

AN ACT Relating to gift taxes; adding a new chapter to Title 83 RCW; repealing section 83.56.005, chapter 15, Laws of 1961 and RCW 83.56.005; repealing section 83.56.010, chapter 15, Laws of 1961 and RCW 83.56.010; repealing section 83.56.020, chapter 15, Laws of 1961 and RCW 83.56.020; repealing section 83.56.030, chapter 15, Laws of 1961, section 2, chapter 274, Laws of 1969 ex. sess. and RCW 83.56.030; repealing section 83.56.040, chapter 15, Laws of 1961 and RCW 83.56.040; repealing section 83.56.050, chapter 15, Laws of 1961, section 1, chapter 67, Laws of 1965 ex. sess., section 69, chapter 292, Laws of 1971 ex. sess., section 1, chapter 146, Laws of 1973 1st ex. sess. and RCW 83.56.050; repealing section 83.56.060, chapter 15, Laws of 1961 and RCW 83.56.060; repealing section 83.56.070, chapter 15, Laws of 1961 and RCW 83.56.070; repealing section 83.56.080, chapter 15, Laws of 1961 and RCW 83.56.080; repealing section 83.56.090, chapter 15, Laws of 1961 and RCW 83.56.090; repealing section 83.56.100, chapter 15, Laws of 1961 and RCW 83.56.100; repealing section 83.56.110, chapter 15, Laws of 1961 and RCW 83.56.110; repealing section 83.56.120, chapter 15, Laws of 1961 and RCW 83.56.120; repealing section 83.56.130, chapter 15, Laws of 1961 and RCW 83.56.130; repealing section 83.56.140, chapter 15, Laws of 1961 and RCW 83.56.140; repealing section 83.56.150, chapter 15, Laws of 1961 and RCW 83.56.150; repealing section 83.56.160, chapter 15, Laws of 1961, section 151, chapter 81, Laws of 1971 and RCW 83.56.160; repealing section 83.56.170, chapter 15, Laws of 1961 and RCW 83.56.170; repealing section 83.56.180, chapter 15, Laws of 1961 and RCW 83.56.180; repealing section 83.56.190, chapter 15, Laws of 1961 and RCW 83.56.190; repealing section 83.56.200, chapter 15, Laws of 1961 and RCW 83.56.200; repealing section 83.56.210, chapter 15, Laws of 1961 and RCW 83.56.210; repealing section 83.56.220, chapter 15, Laws of 1961 and RCW 83.56.220; repealing section 83.56.230, chapter 15, Laws of 1961 and RCW 83.56.230; repealing section 83.56.240, chapter 15, Laws of 1961 and RCW 83.56.240; repealing section 83.56.250, chapter 15, Laws of 1961 and RCW 83.56.250; repealing section 83.56.270, chapter 15, Laws of 1961 and RCW 83.56.270; repealing section 83.56.280, chapter 15, Laws of 1961 and RCW 83.56.280; repealing section 83.56.290, chapter 15, Laws of 1961 and RCW 83.56.290; repealing section 83.56.300, chapter 15, Laws of 1961 and RCW 83.56.300; repealing section 83.56.310, chapter 15, Laws of 1961 and RCW 83.56.310; repealing section 83.56.320, chapter 15, Laws of 1961 and RCW 83.56.320; repealing section 83.56.900, chapter 15, Laws of 1961 and RCW 83.56.900; and providing penalties.

To Committee on Ways and Means – Revenue

**HOUSE BILL NO. 1124, by Representative Kilbury:**

AN ACT Relating to gardens; and adding a new chapter to Title 15 RCW.

To Committee on State Government

**HOUSE BILL NO. 1125, by Representative Sommers:**

AN ACT Relating to public employment; adding a new chapter to Title 50 RCW; prescribing an effective date; and declaring an emergency.

To Committee on State Government

**HOUSE BILL NO. 1126, by Representatives Conner and Sherman:**

AN ACT Relating to justices of the peace; and amending section 99, chapter 299, Laws of 1961 as amended by section 7, chapter 73, Laws of 1971 and RCW 3.54.020.

To Committee on Judiciary

**HOUSE BILL NO. 1127, by Representatives Cochrane, Hanna, Hawkins and Kilbury:**

AN ACT Relating to criminal procedure; amending section 7, chapter 67, Laws of 1971 and RCW 10.27-.070; and adding new sections to chapter 10.27 RCW.

To Committee on Judiciary

**HOUSE BILL NO. 1128, by Representatives Sherman, Conner, Thompson, Seeberger, Warnke, Bender, Lee, Charnley, McKibbin, Patterson and Matthews:**

AN ACT Relating to unfair business practices; and adding a new section to chapter 19.86 RCW.

To Committee on Commerce

**HOUSE BILL NO. 1129, by Representatives Charnley, Parker, Erickson and Hanna:**

AN ACT Relating to the legislature; creating a new chapter in Title 44 RCW; making an appropriation; declaring an emergency; and providing an effective date.

To Committee on State Government

**HOUSE BILL NO. 1130, by Representatives Smith (Rick), Randall and Erickson:**

AN ACT Relating to community colleges; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW.

To Committee on Higher Education

**HOUSE BILL NO. 1131, by Representatives Valle, Hawkins, Brown, Conner, Charnley, Chandler, North and Kilbury:**

AN ACT Relating to taxing recycling facilities; and adding a new chapter to Title 82 RCW.

To Committee on Ecology

**HOUSE BILL NO. 1132, by Representatives Valle, Conner and Hawkins:**

AN ACT Relating to petroleum transfer and safety; amending section 4, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.390; amending section 5, chapter 180, Laws of 1971 ex. sess. and RCW 90.48-.400; adding a new chapter to Title 90 RCW; defining crimes; and prescribing penalties.

To Committee on Transportation and Utilities

**HOUSE BILL NO. 1133, by Representatives Valle, Charnley, Brown, Douthwaite, Hawkins, Conner, Chandler, Becker and Bender:**

AN ACT Relating to petroleum transfer and safety; amending section 4, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.390; amending section 5, chapter 180, Laws of 1971 ex. sess. and RCW 90.48-.400; adding a new chapter to Title 90 RCW; defining crimes; and prescribing penalties.

To Committee on Ecology

**HOUSE BILL NO. 1134, by Representative Bagnariol:**

AN ACT Relating to food fish and shellfish; providing for a personal use salmon license; validating prior program; adding new sections to chapter 75.28 RCW; providing penalties; and providing an effective date.

To Committee on Natural Resources

**HOUSE BILL NO. 1135, by Representative Bagnariol:**

AN ACT Relating to privilege and catch fees; and amending section 2, chapter 9, Laws of 1963 ex. sess. and RCW 75.32.101.

To Committee on Natural Resources

**HOUSE BILL NO. 1136, by Representatives Becker and Adams:**

AN ACT Relating to driver's licenses; and amending section 4, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.031.

To Committee on Transportation and Utilities



**HOUSE BILL NO. 1137, by Representative Kilbury:**

AN ACT Relating to irrigation; amending section 29.13.020, chapter 9, Laws of 1965 as amended by section 3, chapter 123, Laws of 1965 and RCW 29.13.020; amending section 2, page 671, Laws of 1889-90 as last amended by section 3, chapter 138, Laws of 1923 and RCW 87.03.020; amending section 29.13.045, chapter 9, Laws of 1965 as amended by section 5, chapter 123, Laws of 1965 and RCW 29.13.045; amending section 1, chapter 201, Laws of 1951 and RCW 87.03.030; amending section 3, chapter 105, Laws of 1961 and RCW 87.03.032; amending section 2, chapter 57, Laws of 1955 and RCW 87.03.035; amending section 2, chapter 171, Laws of 1941 as last amended by section 1, chapter 68, Laws of 1963 and RCW 87.03.075; amending section 14, chapter 192, Laws of 1961 and RCW 87.03.080; amending section 15, chapter 192, Laws of 1961 and RCW 87.03.081; amending section 6, page 674, Laws of 1889-90 as amended by section 1, chapter 60, Laws of 1931 and RCW 87.03.090; amending section 10, page 676, Laws of 1889-90 as last amended by section 4, chapter 165, Laws of 1913 and RCW 87.03.110; amending section 15, page 679, Laws of 1889-90 as last amended by section 95, chapter 56, Laws of 1970 ex. sess. and RCW 87.03.200; amending section 54, page 697, Laws of 1889-90 and RCW 87.03.590; amending section 54, page 697, Laws of 1889-90 and RCW 87.03.590; amending section 66, page 701, Laws of 1889-90 as last amended by section 41, chapter 129, Laws of 1921 and RCW 87.03.675; amending section 3, chapter 149, Laws of 1939 and RCW 87.52.090; amending section 4, chapter 237, Laws of 1951 and RCW 87.53.040; amending section 15, chapter 106, Laws of 1921 as amended by section 73, chapter 292, Laws of 1971 ex. sess. and RCW 87.60.150; repealing section 5, page 674, Laws of 1889-90 and RCW 87.03.085; repealing section 7, page 675, Laws of 1889-90 and RCW 87.03.095; repealing section 8, page 675, Laws of 1889-90 and RCW 87.03.100; and repealing section 9, page 676, Laws of 1889-90 and RCW 87.03.105.

**To Committee on Local Government****HOUSE BILL NO. 1138, by Representative Douthwaite:**

AN ACT Relating to cities; repealing section 6, chapter 134, Laws of 1972 ex. sess. and RCW 35.21.710; and repealing section 7, chapter 134, Laws of 1972 ex. sess. and RCW 35A.82.050.

**To Committee on Ways and Means - Revenue****HOUSE BILL NO. 1139, by Representatives Hanna, Ceccarelli, Hawkins and Fischer:**

AN ACT Relating to cigarettes; adding new sections to chapter 9.91 RCW; defining crimes; prescribing penalties; prescribing an effective date; and declaring an emergency.

**To Committee on Social and Health Services****HOUSE BILL NO. 1140, by Representatives Becker, North, Blair, Gaspard, Erickson and Hawkins:**

AN ACT Relating to port districts; amending section 11, chapter 17, Laws of 1959 as amended by section 8, chapter 51, Laws of 1965 and RCW 53.12.130; amending section 2, chapter 68, Laws of 1951 and RCW 53.12.172; and amending section 2, chapter 113, Laws of 1925 ex. sess. as amended by section 2, chapter 45, Laws of 1941 and RCW 53.12.220.

**To Committee on Local Government****HOUSE BILL NO. 1141, by Representatives Gaines, Parker, Martinis, Sherman, North, Patterson, Dunlap, Freeman, Gilleland and Polk:**

AN ACT Relating to transportation; creating new sections; and declaring an emergency.

**To Committee on Transportation and Utilities****HOUSE BILL NO. 1142, by Representatives Hendricks, Deccio and Kilbury:**

AN ACT Relating to the payment of public officers and employees and other payees; and amending section 5, chapter 59, Laws of 1969 as last amended by section 5, chapter 147, Laws of 1973 1st ex. sess. and RCW 41.04.230.

**To Committee on State Government****HOUSE BILL NO. 1143, by Representative Maxie:**

AN ACT Relating to community colleges; authorizing the issuance and sale of state general obligation bonds, including bond anticipation notes, to fund community college capital projects; providing ways and means for the payment of such bonds; adding new sections as a new chapter to Title 28B RCW; and declaring an emergency.

**To Committee on Higher Education**

**HOUSE BILL NO. 1144, by Representative Maxie:**

AN ACT Relating to the council on higher education; amending section 4, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.040; amending section 6, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.060; amending section 9, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.080; amending section 10, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.090; amending section 11, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.100; amending section 14, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.900; creating new sections; repealing section 5, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.050; and declaring an emergency.

To Committee on Higher Education

**HOUSE BILL NO. 1145, by Representatives Maxie, Wojahn and Charnley:**

AN ACT Relating to institutions of higher education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

To Committee on Higher Education

**HOUSE BILL NO. 1146, by Representative Maxie:**

AN ACT Relating to Washington State University; providing for the acquisition, construction, remodeling, furnishing and equipping of certain state buildings and facilities for said Washington State University and the financing thereof by the issuance of bonds, including bond anticipation notes; creating new sections; adding new sections to Title 28B RCW as a new chapter thereof; and declaring an emergency.

To Committee on Higher Education

**HOUSE BILL NO. 1147, by Representatives Valle, Gaspard, Smith (Rick), Blair and Chandler:**

AN ACT Relating to business regulations; adding a new chapter to Title 19 RCW; and prescribing penalties.

To Committee on Judiciary

**HOUSE BILL NO. 1148, by Representatives Erickson, Eikenberry and Williams:**

AN ACT Relating to property tax exemption applications; amending section 9, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.815; amending section 11, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.825; and amending section 19, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.865.

To Committee on Ways and Means - Revenue

**HOUSE BILL NO. 1149, by Representatives Martinis, Berentson, Luders and Erickson:**

AN ACT Relating to taxation; allowing certain tax credits for energy conservation research and development; and adding a new chapter to Title 82 RCW.

To Committee on Ways and Means - Revenue

**HOUSE BILL NO. 1150, by Representative Conner:**

AN ACT Relating to the conduct of certain public officers, including school directors; and amending section 4, chapter 268, Laws of 1961 as amended by section 1, chapter 242, Laws of 1971 ex. sess. and RCW 42.23.030.

To Committee on Education

**HOUSE BILL NO. 1151, by Representatives Haussler and Amen:**

AN ACT Relating to criminal justice training; amending section 8, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.080; and amending section 15, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.150.

To Committee on Judiciary

**HOUSE BILL NO. 1152, by Representatives Eikenberry and Hanna:**

AN ACT Relating to mental illness; amending section 7, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.020; amending section 20, chapter 142, Laws of 1973 1st ex. sess. as amended by section 8, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.150; amending section 21, chapter 142, Laws of 1973 1st ex. sess. as amended by section 9, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.160; amending section 22, chapter 142, Laws of 1973 1st ex. sess. as amended by section 10, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.170; amending section 25, chapter 142, Laws of 1973 1st ex. sess. as amended by section 13, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.200; amending section 26, chapter 142, Laws of 1973 1st ex. sess. as amended by section 14, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.210; amending section 28, chapter 142, Laws of 1973 1st ex. sess. as amended by section 15, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.230; amending section 31, chapter 142, Laws of 1973 1st ex. sess. as amended by section 18, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.260; and adding a new section to chapter 142, Laws of 1973 1st ex. sess. and to chapter 71.05 RCW.

To Committee on Social and Health Services

**HOUSE BILL NO. 1153, by Representative Newhouse:**

AN ACT Relating to financial disclosure; and amending section 24, chapter 1, Laws of 1973 and RCW 42.17.240.

To Committee on Constitution and Elections

**HOUSE BILL NO. 1154, by Representatives Conner, Brown, Williams, Chandler and Becker:**

AN ACT Relating to nuclear power plants; and creating a new chapter in Title 70 RCW.

To Committee on Ecology

**HOUSE BILL NO. 1155, by Representatives Ehlers and Kilbury:**

AN ACT Relating to mobile homes; amending section 8, chapter 236, Laws of 1963 as amended by section 5, chapter 234, Laws of 1967 and RCW 63.14.080; and adding a new section to chapter 63.14 RCW.

To Committee on Commerce

**HOUSE BILL NO. 1156, by Representatives Adams, Fischer, Becker, Hanna, Haley, Hendricks, Peterson, Parker and Paris:**

AN ACT Relating to dental assistants; adding a new chapter to Title 18 RCW; defining crimes; and prescribing an effective date.

To Committee on Social and Health Services

**HOUSE BILL NO. 1157, by Representatives Gaspard, Knowles, Seeberger and Eikenberry:**

AN ACT Relating to controlled substances; and amending section 69.50.505, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.505.

To Committee on Judiciary

**HOUSE BILL NO. 1158, by Representatives Bond, Newhouse, Hansen, Kilbury and Curtis:**

AN ACT Relating to revenue and taxation; and amending section 84.40.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 69, Laws of 1973 and RCW 84.40.020.

**To Committee on Ways and Means – Revenue**

**HOUSE BILL NO. 1159, by Representatives Polk and Ehlers:**

AN ACT Relating to horse racing.

**To Committee on Rules**

**HOUSE BILL NO. 1160, by Representatives Ehlers and Polk:**

AN ACT Relating to horse racing.

**To Committee on Rules**

**HOUSE BILL NO. 1161, by Representatives Bagnariol, Shinpoch, Flanagan and Polk:**

AN ACT Relating to the public welfare.

**To Committee on Rules**

**HOUSE BILL NO. 1162, by Representatives Shinpoch and Bagnariol:**

AN ACT Relating to appropriations.

**To Committee on Rules**

**HOUSE BILL NO. 1163, by Representatives Shinpoch and Bagnariol:**

AN ACT Relating to appropriations.

**To Committee on Rules**

**HOUSE BILL NO. 1164, by Representatives Bagnariol and Shinpoch:**

AN ACT Relating to appropriations.

**To Committee on Rules**

**HOUSE BILL NO. 1165, by Representatives Bagnariol and Shinpoch:**

AN ACT Relating to appropriations.

**To Committee on Rules**

**HOUSE BILL NO. 1166, by Representative Randall:**

AN ACT Relating to revenue and taxation.

**To Committee on Rules**

**HOUSE BILL NO. 1167, by Representative Randall:**

AN ACT Relating to revenue and taxation.

To Committee on Rules

**HOUSE BILL NO. 1168, by Representative Randall:**

AN ACT Relating to revenue and taxation.

To Committee on Rules

**HOUSE BILL NO. 1169, by Representatives Perry, Luders and Kilbury:**

AN ACT Relating to utilities.

To Committee on Rules

**HOUSE BILL NO. 1170, by Representatives Perry, Kilbury and Martinis:**

AN ACT Relating to appliances.

To Committee on Rules

**HOUSE BILL NO. 1171, by Representatives Haussler, Luders and Kilbury:**

AN ACT Relating to building insulation.

To Committee on Rules

**HOUSE BILL NO. 1172, by Representatives Martinis and Kilbury:**

AN ACT Relating to energy:

To Committee on Rules

**HOUSE BILL NO. 1173, by Representatives Thompson and Luders:**

AN ACT Relating to oil imports.

To Committee on Rules

**HOUSE BILL NO. 1174, by Representative Kilbury:**

AN ACT Relating to agriculture.

To Committee on Rules

**HOUSE BILL NO. 1175, by Representative Kilbury:**

AN ACT Relating to honey bees.

To Committee on Rules

**HOUSE BILL NO. 1176, by Representative Kilbury:**

AN ACT Relating to libraries.

To Committee on Rules

**HOUSE BILL NO. 1177, by Representatives Sommers, Adams and Haley:**  
AN ACT Relating to human remains.  
To Committee on Rules

**HOUSE BILL NO. 1178, by Representative Sommers:**  
AN ACT Relating to state government.  
To Committee on Rules

**HOUSE BILL NO. 1179, by Representative Sommers:**  
AN ACT Relating to state government.  
To Committee on Rules

**HOUSE BILL NO. 1180, by Representative Sommers:**  
AN ACT Relating to state government.  
To Committee on Rules

**HOUSE BILL NO. 1181, by Representative Gaspard:**  
AN ACT Relating to state employee group insurance.  
To Committee on Rules

**HOUSE BILL NO. 1182, by Representatives Boldt and Kilbury:**  
AN ACT Relating to an irrigation and market study.  
To Committee on Rules

**HOUSE BILL NO. 1183, by Representative Boldt:**  
AN ACT Relating to higher education.  
To Committee on Rules

**HOUSE BILL NO. 1184, by Representative North:**  
AN ACT Relating to oceanography.  
To Committee on Rules

**HOUSE BILL NO. 1185, by Representative North:**  
AN ACT Relating to the oceanographic commission.  
To Committee on Rules

**HOUSE BILL NO. 1186, by Representative Bauer:**  
AN ACT Relating to education.  
To Committee on Rules

**HOUSE BILL NO. 1187, by Representative Bauer:**

AN ACT Relating to education.

To Committee on Rules

**HOUSE BILL NO. 1188, by Representative Bauer:**

AN ACT Relating to education.

To Committee on Rules

**HOUSE BILL NO. 1189, by Representative Bauer:**

AN ACT Relating to excess levies.

To Committee on Rules

**HOUSE BILL NO. 1190, by Representatives Bauer, Warnke and King (by Superintendent of Public Instruction request):**

AN ACT Relating to the apportionment of funds to school districts.

To Committee on Rules

**HOUSE BILL NO. 1191, by Representatives Bauer and King (by Superintendent of Public Instruction request):**

AN ACT Relating to revenue and taxation.

To Committee on Rules

**HOUSE BILL NO. 1192, by Representatives Dunlap and Bauer:**

AN ACT Relating to the funding of the common schools.

To Committee on Rules

**HOUSE BILL NO. 1193, by Representative Haussler:**

AN ACT Relating to local government, including cities, towns, counties and other local subdivisions.

To Committee on Rules

**HOUSE BILL NO. 1194, by Representative Haussler:**

AN ACT Relating to local government, including cities, towns, counties and oter local subdivisions.

To Committee on Rules

**HOUSE BILL NO. 1195, by Representatives Haussler, Luders and Kilbury:**

AN ACT Relating to building standards.

To Committee on Rules

**HOUSE BILL NO. 1196, by Representative Ceccarelli:**

AN ACT Relating to financial institutions.

To Committee on Rules

**HOUSE BILL NO. 1197, by Representative Ceccarelli:**

AN ACT Relating to insurance.

To Committee on Rules

**HOUSE BILL NO. 1198, by Representative Ceccarelli:**

AN ACT Relating to banks and trust companies.

To Committee on Rules

**HOUSE BILL NO. 1199, by Representative Ceccarelli:**

AN ACT Relating to savings and loan associations.

To Committee on Rules

**HOUSE BILL NO. 1200, by Representative Ceccarelli:**

AN ACT Relating to credit unions.

To Committee on Rules

**HOUSE BILL NO. 1201, by Representative Ceccarelli:**

AN ACT Relating to mutual savings banks.

To Committee on Rules

**HOUSE BILL NO. 1202, by Representative Martinis:**

AN ACT Relating to natural resources.

To Committee on Rules

**HOUSE BILL NO. 1203, by Representative Martinis:**

AN ACT Relating to natural resources.

To Committee on Rules

**HOUSE BILL NO. 1204, by Representatives Becker, Kilbury, Zimmerman and Tilly:**

AN ACT Relating to artificial honey products.

To Committee on Rules

**HOUSE BILL NO. 1205, by Representatives Perry and Kilbury:**

AN ACT Relating to utility rates.

To Committee on Rules



**HOUSE BILL NO. 1206, by Representative Leckenby:**

AN ACT Relating to revenue and taxation.

To Committee on Rules

**HOUSE BILL NO. 1207, by Representative Hanna:**

AN ACT Relating to the state civil service; amending chapter 41.06 RCW.

To Committee on Rules

**HOUSE BILL NO. 1208, by Representative Hanna:**

AN ACT Relating to youth development.

To Committee on Rules

**HOUSE BILL NO. 1209, by Representative Hanna:**

AN ACT Relating to health benefits.

To Committee on Rules

**HOUSE BILL NO. 1210, by Representative Hanna:**

AN ACT Relating to sex crimes; amending chapter 9.79 RCW.

To Committee on Rules

**HOUSE BILL NO. 1211, by Representatives Hanna, Haley, Hawkins, Adams and Boldt:**

AN ACT Relating to malpractice insurance.

To Committee on Rules

**HOUSE BILL NO. 1212, by Representatives Hanna, Becker and Hawkins:**

AN ACT Relating to health care services; and amending chapter 48.44 RCW.

To Committee on Rules

**HOUSE BILL NO. 1213, by Representative Warnke:**

AN ACT Relating to the public employees' retirement system.

To Committee on Rules

**HOUSE BILL NO. 1214, by Representative Warnke:**

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system.

To Committee on Rules

**HOUSE BILL NO. 1215, by Representative Warnke:**

AN ACT Relating to retirement systems.

To Committee on Rules

**HOUSE BILL NO. 1216, by Representative Luders:**

AN ACT Relating to the management of freshwater lake environs.

To Committee on Rules

**HOUSE BILL NO. 1217, by Representative Randall:**

AN ACT Relating to revenue and taxation.

To Committee on Rules

**HOUSE BILL NO. 1218, by Representative Randall:**

AN ACT Relating to revenue and taxation.

To Committee on Rules

**HOUSE BILL NO. 1219, by Representative Randall:**

AN ACT Relating to revenue and taxation.

To Committee on Rules

**HOUSE BILL NO. 1220, by Representative Randall:**

AN ACT Relating to revenue and taxation.

To Committee on Rules

**HOUSE BILL NO. 1221, by Representative Randall:**

AN ACT Relating to revenue and taxation.

To Committee on Rules

**HOUSE BILL NO. 1222, by Representatives Berentson and Thompson:**

AN ACT Relating to energy research and development.

To Committee on Rules

**HOUSE BILL NO. 1223, by Representatives Conner and Jastad:**

AN ACT Relating to alcoholic beverages.

To Committee on Rules

**HOUSE JOINT MEMORIAL NO. 22, by Representatives Laughlin, Kilbury, Tilly, Haussler, Hurley (Margaret), Bond and Hansen:**

Requesting more funds for enforcement of immigration laws.

To Committee on State Government

HOUSE JOINT MEMORIAL NO. 23, by Representatives Parker, Gallagher, Jueling, Hanna, Wojahn, Erickson, Haley, Adams, Hawkins, Fortson and Fischer:

Recommending that Mount Rainier be renamed.

To Committee on Parks and Recreation

HOUSE JOINT MEMORIAL NO. 24, by Representatives Tilly, Whiteside, Chandler, Kilbury and Newhouse:

Requesting that the apple blossom be designated the national flower.

To Committee on Agriculture

HOUSE JOINT MEMORIAL NO. 25, by Representatives Cochrane, Kilbury and Boldt:

Commemorating first air mail flights by Leon Cuddeback.

To Committee on Transportation and Utilities

HOUSE JOINT RESOLUTION NO. 54, by Representatives Hawkins, Nelson, Eikenberry, Patterson, Eng, Erickson and Charnley:

Creating a unicameral legislature.

To Committee on State Government

HOUSE JOINT RESOLUTION NO. 55, by Representatives Parker, Gaines, Conner, Gallagher, Adams and Savage:

Amending the Constitution to allow state banking activities.

To Committee on Financial Institutions

HOUSE JOINT RESOLUTION NO. 56, by Representatives Smith (Rick) and Eikenberry:

Changing judicial article of the Constitution.

To Committee on Judiciary

HOUSE JOINT RESOLUTION NO. 57, by Representatives Sommers, Blair and Brown:

Allowing cost of living increases in salaries of elective officials.

To Committee on State Government

HOUSE CONCURRENT RESOLUTION NO. 23, by Representatives Lee, Haley, Wilson, Barnes and Sherman:

Creating a legislative committee to study effects of various commissions on human rights.

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 24, by Representatives Nelson and Sommers:

Providing for a review of state boards, commissions and councils.

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 25, by Representatives Charette, Douthwaite, Ceccarelli, Bagnariol, Bausch, Warnke, Clemente, Bender, Cochrane, Hawkins, Fischer, Seeberger, Boldt, Moreau, Gaspard, Becker, Gaines, Ehlers, Sherman, Laughlin, Eng, Erickson, Kilbury, Chatalas, Williams, Thompson, Bauer, Savage, Wojahn and McCormick:

Declaring September 5th to be Fred Hutchinson Cancer Research Center Day.

To Committee on Rules

ENGROSSED SENATE BILL NO. 2117, by Senators Walgren, Beck and Guess (by Department of Highways request):

Providing for the execution of conveyances by the director of the department of highways.

To Committee on Transportation and Utilities

SENATE BILL NO. 2131, by Senators Woody and Clarke:

Permitting cemetery authorities to make deposits in federal credit unions and federal savings and loan associations.

To Committee on Financial Institutions

SENATE BILL NO. 2297, by Senators Goltz and Woody:

Increasing the number of Whatcom county superior court judges to three.

To Committee on Judiciary

SENATE BILL NO. 2440, by Senator Pullen:

Requiring the board of prison terms and paroles to take action by either a majority or two-thirds majority in certain cases.

To Committee on Social and Health Services

SUBSTITUTE SENATE BILL NO. 2495, by Committee on Natural Resources (Originally sponsored by Senators Guess and Peterson):

Enlarging the scope and duties of the department of natural resources as regards surveys and maps.

To Committee on Natural Resources

SENATE BILL NO. 2513, by Senators Matson and Fleming:

Authorizing completion of migrant housing demonstration project in Yakima county.

To Committee on Labor

SENATE CONCURRENT RESOLUTION NO. 103, by Senators Peterson and Lewis (Harry):

Resolving to continue cooperation with other western states to coalesce positions relating to forest programs.

To Committee on Natural Resources

#### MOTION

On motion of Mr. Thompson, all bills, memorials and resolutions listed on today's agenda were referred to the committees designated, with the exception of HOUSE BILL NO. 1080, to be referred to Committee on Commerce; HOUSE BILL NO. 1115, to be referred to Committee on Local Government; HOUSE BILL NO. 1152, to be referred to Committee on Judiciary; and HOUSE BILL NO. 1151, to be referred to Committee on Local Government.

#### REPORTS OF STANDING COMMITTEES

March 24, 1975

HOUSE BILL NO. 246, Prime Sponsor: Representative Thompson, requiring plaintiff in medical malpractice action to prove defendant failed to exercise standard of care of profession. Reported by Committee on Judiciary.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Gaspard, Hanna, Newhouse, Sherman.

**MINORITY recommendation:** Do not pass. Signed by Representative Eikenberry.  
To Committee on Rules for second reading.

March 24, 1975

**HOUSE BILL NO. 303, Prime Sponsor:** Representative Adams, authorizing department of social and health services to pay counties for special adult supervision programs. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Ways and Means - Appropriations.

March 24, 1975

**HOUSE BILL NO. 405, Prime Sponsor:** Representative Conner, prescribing a change in computation of weekly unemployment compensation benefit amounts. Reported by Committee on Labor.

**MAJORITY recommendation:** Do pass. Signed by Representatives Savage, Chairman; Bausch, Cochrane, King, May, Parker.

**MINORITY recommendation:** Do not pass. Signed by Representatives Gilleland, Haley, Matthews.

To Committee on Rules for second reading.

March 21, 1975

**HOUSE BILL NO. 483, Prime Sponsor:** Representative Shinpoch, implementing further consolidation of state automated data processing facilities. Reported by Committee on State Government.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hurley (Margaret), Nelson, Williams.

To Committee on Rules for second reading.

March 24, 1975

**HOUSE BILL NO. 590, Prime Sponsor:** Representative Berentson, reducing the tax on aircraft fuel. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Ways and Means - Revenue.

March 21, 1975

**HOUSE BILL NO. 693, Prime Sponsor:** Representative North, requiring advertising public contracts in a newspaper in the part of the county where the work is to be done. Reported by Committee on Local Government.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Cochrane, Fischer, Lee, North, Paris, Smith (Edward), Whiteside.

To Committee on Rules for second reading.

March 19, 1975

**HOUSE BILL NO. 788, Prime Sponsor:** Representative Adams, prescribing changes in provisions relating to physicians and surgeons. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Bauer, Becker, Cochrane, Deccio, Fischer, Fortson, Greengo, Haley, Hanna, Hendricks, May, Paris, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

March 21, 1975

HOUSE BILL NO. 1050, Prime Sponsor: Representative Kilbury, making emergency appropriations for grain inspections. Reported by Committee on Agriculture.

**MAJORITY recommendation: Do pass with the following amendment:**

On page 1, line 6 strike "three hundred fifty thousand" and insert "two hundred thirty thousand five hundred sixty-nine"

Signed by Representatives Kilbury, Chairman; Becker, Vice Chairwoman; Amen, Boldt, Flanagan, Hansen, Hansey, Haussler, Schumaker.

To Committee on Ways and Means – Appropriations.

#### SECOND READING

On motion of Mr. Charette HOUSE BILL NO. 343 was rereferred to Committee on Judiciary.

HOUSE BILL NO. 118, by Representatives Berentson, Jastad, Gallagher, Laughlin and Gilleland (by Department of Motor Vehicles request):

Prescribing unfair vehicle business practices of dealers and salesmen.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 118 was substituted for House Bill No. 118, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 118 was read the second time.

On motion of Mr. Warnke, the following amendment was adopted:

On page 8, section 3, line 30 following "completion of" insert "judicially imposed"

Substitute House Bill No. 118 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 569, by Representatives Fortson, Hendricks, Bender, Seeberger, Bauer and Clemente:

Limiting accreditation of public schools on basis of ratio of pupils to classroom teachers.

The bill was read the second time.

#### MOTION

On motion of Mr. Thompson, further action on House Bill No. 569 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

#### MOTION

On motion of Mr. Charette, consideration of Substitute House Bill No. 462 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 443.

HOUSE BILL NO. 211, by Representatives Amen, Conner, Curtis, Knowles, Zimmerman, May, Becker, Boldt, Kilbury, Laughlin and Whiteside.

Entitling retail implement or car dealer to recover price of articles upon discontinuance of contract by wholesaler or retail dealer.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 211 was substituted for House Bill No. 211, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 211 was read the second time.

Mr. Charette moved adoption of the following amendment:

On page 3, following section 3 insert the following:

"NEW SECTION. Sec. 4. (1) Any manufacturer or distributor who sells goods or products in this state which are warranted, expressly, impliedly or by statute, to be free from defects in their performance or quality shall provide a facility at which the terms of such warranties will be honored and performed, including but not limited to repair or replacement of any such products or components thereof. All such facilities, whether owned, franchised or otherwise authorized to repair or replace products under the terms of a warranty shall be situated at a distance of no more than 50 miles from each point of distribution of any such warranted product in this state.

(2) If a manufacturer or distributor shall fail to comply with the provisions of subsection (1) of this section any purchaser of his products which are warranted against defects in performance or quality may procure at an establishment of his choice all repairs or replacements obtainable under the terms of the warranty. Such purchaser shall be entitled to reimbursement from the manufacturer or distributor upon timely notice thereto of all actual expenses, direct and incidental, incurred in the repair or replacement of the product or components thereof: PROVIDED, That such reimbursement shall only cover the cost of labor and materials to which the purchaser would have been entitled under the terms of the warranty: PROVIDED FURTHER, That a purchaser who must resort to an action at law to recover such actual expenses shall also be entitled to an award of reasonable attorneys fees and costs incident to the litigation.

(3) No remedial measures taken by a purchaser under this 1975 act to secure the repair or replacement of a warranted product or component thereof at an establishment other than that authorized by the manufacturer or distributor shall be sufficient to breach any of the conditions of the warranty or to otherwise avoid or limit its coverage."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Amen: "Mr. Speaker, I would like to have you rule on the scope and object of this amendment. House Bill No. 211 pertains to reimbursement of payments to be made to dealers—certain implement dealers and car dealers—in cancellation of an agreement while the amendment pertains to warranties and defects in performance and quality of certain merchandise."

Mr. Charette: "I would call to the Speaker's attention that the title of the bill is 'An Act Relating to business regulations; and adding a new chapter.' It's all within the same chapter and I would guess that is as broad a title as you could get."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The point of order appears to be well taken. The act generally provides that implement dealers and car dealers, when dealership contracts are canceled or discontinued, shall be entitled to refunds on their parts and handling charges—provisions of this nature—whereas the amendment offered by Representative Charette goes into a whole new scope in connection with warranties and the rights of purchasers in remedial measures to be taken by purchasers; so it appears that the amendment by Representative Charette is out of order."

Mr. Warnke moved adoption of the following amendment:

On page 4, after section 5, add new sections as follows:

NEW SECTION. Sec. 6. Sections 7 through 14 of this act shall constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 7. The legislature finds and declares that the manner in which the distribution of gasoline is made within the state of Washington affects the general economy of the state, the public interest, and the public health, safety, and welfare, and it is therefore necessary to provide certain rights and protections for the retail gasoline distributors in this state.

NEW SECTION. Sec. 8. The definitions set forth in this section shall apply throughout this chapter.

(1) "Refiner" means a company, corporation, or individual who owns, controls, or controls through a substantially owned subsidiary, partnership, or joint venture a refinery used for the production of gasoline, diesel, or other motor vehicle fuels.

(2) "Distributor" means any person or corporation other than a refiner engaged in the sale, assignment, or distribution of gasoline to four or more dealer operated retail outlets.

(3) "Franchisor" shall mean a distributor or refiner who sells gasoline for the purpose of resale to franchisees.

(4) "Franchisee" means any individual, corporation, partnership, or firm engaged in the retail sale of gasoline who purchases his product from a franchisor under a franchise agreement.

(5) "Franchise" means an oral or written contract or agreement or series of agreements, either express or implied, in which the franchisee is required directly or indirectly to purchase fifty percent or more of his supply of gasoline from a franchisor, and in which the franchisee is granted permission by the franchisor to occupy premises owned, leased, or in any way controlled, directly or indirectly, by the franchisor.

NEW SECTION. Sec. 9. Prior to entry into a franchise agreement, a franchisor shall disclose to the potential franchisee facts which would reasonably be considered material to the franchisee's decision to enter into the franchise. Such facts shall include, but are not limited to:

(1) Ownership of the property of the retail outlet;

(2) If the real property is not owned by the franchisor, the nature of the relationship between the real property owner and the franchisor and, if applicable, the length of the underlying lease;

(3) Last known addresses of dealers operating the retail outlet for the last five years;

(4) The gasoline gallonage history of the station for the last five years;

(5) Any sales goals or quotas the franchisor intends to apply to the station;

(6) The nearest gasoline outlet owned, controlled, or operated by the franchisor and any plans the franchisor has to open new retail outlets within the trade area of the subject retail outlet;

(7) Any plans the franchisor has for the future of the subject retail outlet.

**NEW SECTION.** Sec. 10. Without limiting the other provisions of this chapter, specific rights and prohibitions and remedies provided franchisees in RCW 19.100.180 and RCW 19.100.190 shall apply to the relationship between the franchisor and the franchisee under this chapter, except that RCW 19.100.180(2)(i) and (j) shall not apply to franchise relationships under this chapter.

**NEW SECTION.** Sec. 11. A franchisor shall not terminate, cancel, or fail to renew a franchise except for good cause. Good cause shall include the failure of a franchisee to comply with the lawful material provisions of a franchise or other agreement between franchisor and franchisee and the failure of a franchisee to cure such default after being given written notice thereof and a reasonable opportunity to cure such default. Good cause for failure to renew may include the good faith business decision of the franchisor that he no longer intends a retail outlet at that location for the marketing of his product. A franchisor may terminate, cancel, or fail to renew a franchisee who is (1) adjudicated bankrupt or insolvent, (2) who makes an assignment for the benefit of creditors or similar disposition of assets of the franchise business, (3) who voluntarily abandons the franchise business, or (4) who is convicted of or pleads guilty or no contest to a charge of violating any law relating to the franchise business.

**NEW SECTION.** Sec. 12. In the event the franchisor has good cause to terminate, cancel, or fail to renew under section 6 of this act, he shall fairly compensate the franchisee for the fair market value at the time of the termination or expiration of the franchise of (1) the franchisee's inventory, supplies, equipment, and furnishings purchased from the franchisor and (2) good will exclusive of (a) personalized materials which have no value to the franchisor and (b) inventory, supplies, equipment, and furnishings not reasonably required in the conduct of the franchise business. Such compensation shall be made within thirty days of the date of termination or expiration.

**NEW SECTION.** Sec. 13. In addition to the remedies provided in RCW 19.100.190, if a franchise is terminated, cancelled, or not renewed under section 11 of this act and the parties cannot agree as to the fair market value of the franchisee's interest in the business as defined in section 12 of this act, then either party or both upon ten days' written notice may bring an action in the superior court of the county where the business is located to determine the fair market value. The franchisee shall be entitled to his costs, including reasonable attorney's fees, if the amount awarded by the jury or court is ten percent greater than the amount offered by the franchisor, if any, ten days prior to the filing of the action.

**NEW SECTION.** Sec. 14. If any provision of this chapter or its applicability to any person or circumstances is held invalid, the remainder of the chapter or the application of the provisions thereof to any other person or circumstances is not affected."

#### POINT OF ORDER

Mr. Amen: "I would ask you to again rule on the scope and object of this amendment. I think this is an entirely different thing in that this pertains to certain acts which a franchisor must disclose to his potential franchisee. I would think that this would be out of order."

Mr. Newhouse: "Mr. Speaker, I would like also to call your attention to the fact that this amendment is substantially the same as House Bill No. 221 presently before the committee chaired by the maker of the amendment, and would, by Rule 32, be precluded from adoption by this House."

#### MOTION

On motion of Mr. Charette, further consideration of Substitute House Bill No. 211 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 569.

**HOUSE BILL NO. 352**, by Representatives Pardini, Wojahn, Bagnariol and Curtis:

Regulating preneed funeral service contracts.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-eighth Day, March 11, 1975.)

On motion of Mr. Warnke, the committee amendments were adopted.

House Bill No. 352 was ordered engrossed and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 366**, by Representative Conner:

Changing fuel tax requirements for interstate commercial vehicles.

The bill was read the second time and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 397**, by Representative Cochrane:



Specifying form of notice and result of election for change of location of county seat.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 443, by Representatives Haussler, Polk, Thompson, Pardini, Blair, Sommers and Zimmerman (by Executive request):

Transferring powers, duties, and functions of the office of economic opportunity to the planning and community affairs agency.

The bill was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 462:

For previous action, see yesterday's Journal.

The House resumed consideration of Substitute House Bill No. 462 on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the amendment by Mr. Berentson as amended.

Mr. Luders moved adoption of the following amendment to the Berentson amendment: At the beginning of the second line of the amendment strike "other water courses."

Representatives Luders and Berentson spoke in favor of the amendment to the amendment, and it was adopted.

On motion of Mr. Luders, the following amendment to the amendment was adopted: On the third line of the amendment after "or utilized" insert "primarily"

The Speaker (Mr. O'Brien presiding) stated the question before the House to be adoption of the amendment by Representative Berentson as amended.

Ms. Becker spoke against adoption of the amendment, and Mr. Berentson spoke in favor of it.

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Hawkins.

Mr. Hawkins: "Representative Berentson, are these features shown on a county master program for the shorelines management?"

Mr. Berentson: "The drainage system? I would have no way of knowing that at the present time. I don't believe Skagit County, like most counties, has completed their master plan under shorelines management; however the administrative code, as it now stands, does treat most of this type of facility. The reason we offered the amendment is that there is some question as to whether you are truly covered. As far as a map or anything being on record as to where these drainage districts do now exist, I just frankly couldn't answer you."

#### ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Berentson as amended to Substitute House Bill No. 462, and the amendment was adopted by the following vote: Yeas, 59; nays, 34; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Matthews, May, McCormick, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Smith R., Tilly, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Fischer, Gaspard, Hanna, Hawkins, Hurley G. S., King, Lysen, Martinis, Maxie, McKibbin, Moon, Parker, Perry, Sherman, Smith E. P., Sommers, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bagnariol, Chatalas, Shinpoch, Thompson, Valle.

Substitute House Bill No. 462 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 491, by Representatives Warnke, Bausch and Gilleland:

Prescribing a change in retained percentage procedures on public works contracts.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 511, by Representatives Becker, Kilbury, Erickson, Hansen, Amen, Hansey, Moreau, Tilly, Schumaker, Berentson, Sherman, North, Laughlin and Moon:

Requiring that milk producers be paid costs of production.

On motion of Mr. Kilbury, Substitute House Bill No. 511 was substituted for House Bill No. 511 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 511 was read the second time.

Mr. Barnes moved adoption of the following amendment:

On page 2, line 8 after "dealer" insert the following: ": PROVIDED, That such payment as determined by the director shall be required only at such times and during such periods, from time to time, that the volume of milk sold as fluid milk constitutes eighty percent or more of the total milk produced during the same period"

Mr. Barnes spoke in favor of the amendment, and Representatives Kilbury and Deccio spoke against it.

Mr. Thompson demanded an electric roll call and the demand was sustained.

#### POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Barnes, having some acquaintance with the dairy business, I would like to ask if in your times and periods when this triggering effect might go into effect, how long a period were you considering, in view of the fact that there is a very definite seasonal trend in the production of milk in an individual dairy farm and in the whole industry that will go substantially from 60% production during the winter months to 100% production during the April, May, June, July era. Would it require a period of one year or six months or one month when the triggering would occur?"

Mr. Barnes: "I would expect, Representative Newhouse, that the Department of Agriculture could deduct this on a monthly or quarterly basis."

Representatives Brown and Barnes spoke in favor of the amendment, and Representatives Becker, Berentson and Deccio spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Barnes to Substitute House Bill No. 511, and the amendment was not adopted by the following vote: Yeas, 20; nays, 77; not voting, 1.

Voting yea: Representatives Barnes, Blair, Bond, Brown, Ceccarelli, Chandler, Dunlap, Eikenberry, Eng, Freeman, Gilleland, Greengo, Juelling, Kuehne, Leckenby, Lee, Matthews, Polk, Sommers, Tilly.

Voting nay: Representatives Adams, Amen, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Bagnariol.

Substitute House Bill No. 511 was passed to Committee on Rules for third reading.

#### MOTIONS

On motion of Mr. Charette, consideration of the balance of the bills remaining on today's second reading calendar was deferred, and they were ordered placed on tomorrow's second reading calendar.

On motion of Mr. Charette, the House advanced to the seventh order of business.

#### THIRD READING

HOUSE BILL NO. 171, by Representatives Hansen, Hayner and Clemente (by Department of Highways request):

Prescribing motor vehicle gross weight limits.

The bill was read the third time and placed on final passage.

Representatives Hansen, Leckenby and Conner spoke in favor of passage of the bill, and Mr. Douthwaite spoke against it.

Mr. Hansen spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 171, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Brown, Cochrane, Douthwaite, Hawkins, Lee, Lysen, North, Williams.  
Not voting: Representatives Newhouse, and Mr. Speaker.

House Bill No. 171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 177**, by Committee on Transportation and Utilities (Originally sponsored by Representatives Leckenby, Hansen and McCormick - by Office of Program Planning and Fiscal Management request):

Prescribing tax revenue distribution for ATV purposes.

The bill was read the third time and placed on final passage.

Representatives Leckenby and Hansen spoke in favor of passage of the bill, and Mr. Schumaker spoke against it.

Mr. Leckenby spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 177, and the bill passed the House by the following vote: Yeas, 76; nays, 21; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Lysen, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Paris, Patterson, Perry, Peterson, Randall, Savage, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Whiteside, Williams, Wilson.

Voting nay: Representatives Bauer, Bausch, Curtis, Ehlers, Erickson, Hendricks, Hurley M., Kuehnle, Laughlin, Luders, Martinis, North, Pardini, Parker, Polk, Schumaker, Seeberger, Thompson, Warnke, Wojahn, Zimmerman.

Not voting: Mr. Speaker.

Substitute House Bill No. 177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 401**, by Committee on Social and Health Services (Originally sponsored by Representatives Paris, Shipoch, Chandler, Adams, Parker, Fortson, Bond and Deccio):

Adding new provisions to laws relating to burial.

The bill was read the third time and placed on final passage.

Representatives Paris and Shipoch spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Paris yielded to question by Mr. Boldt.

Mr. Boldt: "Under the provisions of this act if the remains were reduced to this ash size as we amended the act, would one be able to have those remains placed over public waterways of the state? I make reference specifically to the Columbia River."

Mr. Paris: "As long as they were in compliance with the regulations of the DSHS."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 401, and the bill passed the House by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Dunlap, Erickson, Gallagher, Jueling, Martinis, Savage.

Engrossed Substitute House Bill No. 401, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 413, by Committee on Education (Originally sponsored by Representatives Wojahn, O'Brien, Pardini, Sommers, Fortson, Valle, Brown, Haley, Lysen, Bagnariol and Maxie):

Implementing law to eliminate sex discrimination in the public schools.

The bill was read the third time and placed on final passage.

Representatives Wojahn, Charnley and Brown spoke in favor of passage of the bill, and Representatives Polk, Hayner and Amen spoke against it.

Representative Hurley (George) spoke in favor of the bill.

## POINT OF ORDER

Mr. Eikenberry: "Mr. Speaker, pursuant to Rule 53 I ask that the words be taken down last spoken by Representative Hurley referring to 'foolish rhetoric' on the part of the previous speaker, Mr. Polk. I ask that the body take exception to the use of these words in the debate on the floor of the House."

## ADMONITION BY THE SPEAKER (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Mr. Eikenberry, it would appear that you would have to move that the House take this action. In connection with your point of order in referring to House Rule 53, the Speaker would just like to state in this connection, that House Rule 50 states 'When any member is about to speak in debate or deliver any matter to the house the member shall rise and respectfully address the Speaker, pause until recognized, shall confine all remarks to the question under debate, and avoid personalities; and no member shall impugn the motive of any member's vote or argument.' I wish the members would adhere to that particular rule."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 413.

Mr. Haley spoke in favor of passage of the bill, and Mr. Bond spoke against it.

Mr. Charette demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 413, and the bill passed the House by the following vote: Yeas, 61; nays, 37; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins,

Hurley G. S., Kalich, Kilbury, King, Lee, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Perry, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bausch, Berentson, Bond, Curtis, Dunlap, Ehlers, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Knowles, Kuehnle, Laughlin, Leckenby, Matthews, May, Nelson, Newhouse, Paris, Parker, Patterson, Polk, Randall, Schumaker, Smith E. P., Tilly, Wilson, Zimmerman.

Engrossed Substitute House Bill No. 413, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, the balance of the third reading calendar was ordered held until tomorrow.

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Wednesday, March 26, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

### THIRTEENTH DAY

#### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 26, 1975.

The House was called to order at 10:30 a.m. by the Speaker (Mr. Chatalas presiding). The Clerk called the roll and all members were present except Representatives Deccio, Parker and Valle who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karen Ray and John Rapp. Prayer was offered by Father A. Homer Demopoulos of St. Demetrios Church of Seattle.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGES FROM THE SENATE

March 25, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2171, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 26, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2171,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 25, 1975

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2093,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MESSAGE FROM THE GOVERNOR

March 25, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 24, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 17: Providing law libraries for seventh and eighth class counties.

HOUSE BILL NO. 63: Increasing penalty for violation of stock restricted area statutes.

SUBSTITUTE HOUSE BILL NO. 73: Requiring poultry, turkey, food fish, shellfish, meat and meat food products to be labeled if they have been frozen.

HOUSE BILL NO. 106: Abolishing the state administrative board.

HOUSE BILL NO. 119: Exempting dealer or manufacture campers from licensing requirements under stated conditions.

HOUSE BILL NO. 129: Increasing hospital district commissioner's allowable compensation.

HOUSE BILL NO. 138: Including third class school districts within second class school district category and enlarging scope of first class district classification.

HOUSE BILL NO. 159: Restricting and regulating the sale of convict-made goods.

HOUSE BILL NO. 199: Repealing laws relating to the Osaka exposition.

HOUSE BILL NO. 461: Authorizing public utility districts to collect local improvement assessments for operation and maintenance of street lights and other services.

HOUSE BILL NO. 537: Authorizing school districts to delegate their authority for investment of certain school funds not immediately needed.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. Charette presiding) announced that the Speaker was about to sign:  
SENATE BILL NO. 2171.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. Charette presiding) recognized within the bar of the House, the Royal Court of the Stanwood Camano Fair, and appointed Representatives Fortson, Wilson, Fischer, Hansey, Berentson, Martinis, Nelson and Clemente to escort them to the rostrum.

The Speaker (Mr. Charette presiding) introduced Queen Deede Bennet and Princesses Sharon Johnson and Melissa Hubschmidt, stating the girls were all seniors at Stanwood High School.

Queen Deede addressed the House briefly, extending an invitation to the members to attend the Stanwood Camano Fair, and the Speaker requested the committee to escort the girls from the House Chamber.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2093, by Committee on Judiciary (Originally sponsored by Senators Clarke, Keefe and Jones):

Enacting general provisions of a new criminal code.

To Committee on Judiciary

#### REPORTS OF STANDING COMMITTEES

March 24, 1975

HOUSE BILL NO. 58, Prime Sponsor: Representative Ehlers, requiring emergency exits for mobile homes. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Dunlap, Gaines, Greengo, O'Brien, Wojahn.

To Committee on Rules for second reading.

March 25, 1975

HOUSE BILL NO. 139, Prime Sponsor: Representative Martinis, regulating the sales of valuable material from public lands. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14 strike "An initial deposit equal to the amount" and insert "The initial deposits"

On page 1, line 15 after "79.01.204," strike "of" and insert "((of))"

On page 1, line 25 after "materials" strike all material down to and including "demand" on line 28 and insert ", or payment bonds or assignments of savings accounts acceptable to the department as adequate security"

Signed by Representatives Martinis, Chairman; Bond, Clemente, Conner, Gilleland, Greengo, Hansey, Haussler, Hurley (George), Kilbury, Matthews, Moreau, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

March 24, 1975

HOUSE BILL NO. 325, Prime Sponsor: Representative O'Brien, licensing and regulating massage therapists. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Gaines, Greengo, Kuehnle, O'Brien.

To Committee on Rules for second reading.

March 24, 1975

HOUSE BILL NO. 430, Prime Sponsor: Representative Wojahn, prescribing requirements and procedures for award of professional services contracts. Reported by Committee on Commerce.

**MAJORITY recommendation: Do pass with the following amendments:**

On page 2, beginning on line 2 after "person" strike all the material down to and including "self" on line 6 and insert "who is licensed by the state under the provisions of either chapter 18.04, chapter 18.08, chapter 18.43 or chapter 18.96 RCW"

On page 6, line 2 after "as a" strike "consultant or a"

On page 6, line 3 strike "fee or"

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Dunlap, Gaines, Greengo, O'Brien, Wojahn.

To Committee on Rules for second reading.

March 18, 1975

HOUSE BILL NO. 536, Prime Sponsor: Representative Ceccarelli, providing for regulation of health care service contractors. Reported by Committee on Financial Institutions.

**MAJORITY recommendation: Do pass with the following amendments:**

On page 1, line 17 after "contractors" insert ", except for prepaid group practice plans which deliver services directly to a voluntarily enrolled group of members."

On page 1, line 24 after "agreement" insert ": PROVIDED, That the practitioner specified in RCW 48.20.390 to 48.20.414, inclusive, and RCW 48.21.130 to 48.21.144, inclusive, develop and implement programs of utilization and peer review for the purpose of evaluating frequency of services rendered and fees charged: PROVIDED FURTHER, That said programs must be mutually acceptable to the practitioner, the health care contractor, and the secretary of the department of social and health services"

Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Bagnariol, Blair, Eikenberry, Lysen, McCormick, Pardini, Parker, Polk.

To Committee on Rules for second reading.

## SECOND READING

### MOTION

On motion of Mr. Charette, consideration of HOUSE BILL NO. 591 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 675, by Representatives Shinpoch, Polk, Bagnariol, Flanagan and North:

Regulating the receipt of unanticipated funds.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, Sixtieth Day, March 13, 1975.)

On motion of Mr. Shinpoch, the committee amendment was adopted.

House Bill No. 675 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 802, by Representatives Shinpoch, Polk, Thompson and Wojahn:

Providing uniformity in payment of travel expenses for most state officials and employees.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixtieth Day, March 13, 1975.)

On motion of Mr. Shinpoch, the committee amendments were adopted.

## POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "My question relates to a bill we were discussing a few days ago regarding whether or not people traveling on state business will be required to travel by minimal expense routes. Representative Shinpoch, I would like, for the record, to have you



answer whether or not, in your judgment, there is some necessity for state employees traveling to utilize the minimum expense means?"

Mr. Shinpoch: "Representative Douthwaite, I don't remember the exact wording in the bill, but it goes like 'if it is the most economical and effective use of state money or facilities.' That is the determining factor, not whether it might be the cheapest on the front end and cost more in total. The total amount is the determining factor."

On motion of Mr. Shinpoch, the committee amendment to the title was adopted.

House Bill No. 802 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 569, by Representatives Fortson, Hendricks, Bender, Seeberger, Bauer and Clemente:

Limiting accreditation of public schools on basis of ratio of pupils to classroom teachers.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-eighth Day, March 11, 1975.)

On motion of Mr. Bauer the committee amendment to page 1 was adopted.

Mr. Bauer moved adoption of the committee amendment to page 2.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Bauer, you say that this amendment defines the certificated employee. Isn't the certificated employee already defined somewhere in the statutes?"

Mr. Bauer: "For various purposes, but we needed a specific definition here to imply that a certificated employee would be a person who spent his time in the education process of children, not a person who would come in and take care of nursing activities, home room activities, and other things, but a person who actually was in the process of the instruction of children. For instance, a specialist reading teacher coming in for one hour—that person would have to be included in that definition of certificated employee."

Mr. Pardini spoke against the amendment, and Mrs. Fortson spoke in favor of it.

Mrs. Fortson spoke again in favor of the committee amendment, and Mr. Pardini spoke again in opposition to it. Mr. Bauer spoke in favor of the committee amendment.

#### MOTION

On motion of Mr. Charette, further action on House Bill No. 569 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 665.

SUBSTITUTE HOUSE BILL NO. 211, by Committee on Commerce (Originally sponsored by Representatives Amen, Conner, Curtis, Knowles, Zimmerman, May, Becker, Boldt, Kilbury, Laughlin and Whiteside):

Entitling retail implement or car dealer to recover price of articles upon discontinuance of contract by wholesaler or retail dealer.

The House resumed consideration of Substitute House Bill No. 211 on second reading. (For previous action, see yesterday's Journal.)

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Warnke: "Mr. Speaker, there is a point of order riding on this bill, carried over from yesterday, and that point of order has not been answered."

#### SPEAKER'S RULING (MR. CHATALAS PRESIDING)

The Speaker (Mr. Chatalas presiding): "You are absolutely correct, Mr. Warnke. The Speaker has gone over this amendment and he finds that your amendment speaks to service station operators and their distribution of gas, while the amendment dealing with parts, stock and service stations may be within the scope of the bill, this particular amendment deals with the distribution of gasoline which is beyond the repair and parts scope of Substitute House

Bill No. 211. Therefore, Representative Amen, your point of order is well taken and the amendment by Representative Warnke is ruled out of order."

#### MOTION

Mr. Warnke moved that further action on Substitute House Bill No. 211 be deferred until Friday.

Mr. Warnke spoke in favor of the motion, and Representatives Amen, Pardini and Newhouse spoke against it.

Mr. Warnke spoke again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Warnke to defer action on Substitute House Bill No. 211, and the motion was carried by the following vote: Yeas, 60; nays, 31; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hayner, Hurley G. S., Jastad, Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Paris, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Bond, Brown, Charette, Curtis, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hendricks, Hurley M., Jueling, Kuehnle, Leckenby, Lee, May, Newhouse, Pardini, Peterson, Polk, Schumaker, Smith E. P., Thompson, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Ceccarelli, Deccio, Eikenberry, Kilbury, Parker, Patterson, Valle.

**HOUSE BILL NO. 173, by Representatives Clemente, Gaspard and Hendricks:**

Requiring school board directors when making available rules regarding pupil conduct, discipline and rights to spell out rights and authority of teachers.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixtieth Day, March 13, 1975.)

On motion of Mr. Bauer, the committee amendments were adopted.

House Bill No. 173 was ordered engrossed and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 284, by Representatives Hanna and Adams (by Department of Social and Health Services request):**

Authorizing increased payment for juvenile probation supervision.

The bill was read the second time and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 627, by Representatives McKibbin, Whiteside and Savage:**

Implementing law relating to certain student transfer within the common schools and state apportionment credit therefor.

The bill was read the second time and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 665, by Representatives Charette and Conner:**

Permitting public auction of state material valued at \$10,000 or less.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Eleventh Day, Ex. Sess., March 24, 1975.)

On motion of Ms. Sommers, the committee amendments were adopted.

House Bill No. 665 was ordered engrossed and passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. Thompson, the House advanced to the seventh order of business.

## THIRD READING

HOUSE BILL NO. 480, by Representatives Savage, Conner, Freeman, Wojahn, Matthews, Haley, McKibbin, King, May and Cochrane:

Creating the department of labor and industries revolving fund.

The bill was read the third time and placed on final passage.

Mr. Savage spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Savage, I missed this bill on second reading and I had intended to put an amendment on it to say that at least single copies of prospective employers would be made available free to people who had a legitimate request for them so that the Department would not make that charge. I am asking this in the question and answer series to establish legislative intent. Am I correct in that the intent of this legislation is that those people who have a legitimate request for one or two copies will still receive those copies free without being charged for them?"

Mr. Savage: "Yes, I discussed this with the supervisor of the Safety Division, and he indicated that was their intention—to allow smaller numbers of them still to continue to be free."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 480, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Parker, Valle.

House Bill No. 480, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 523, by Representatives Hayner and Kilbury:

Requiring counties to pay salary and expenses of stream patrolmen.

The bill was read the third time and placed on final passage.

Mrs. Hayner spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 523, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Fortson, Jastad, Parker, Valle.

House Bill No. 523, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 544, by Representatives Perry, Zimmerman and Kilbury:

Clarifying the powers of joint operating agencies (power commission).

The bill was read the third time and placed on final passage.

Mr. Perry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 544, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Martinis, Parker, Valle.

Engrossed House Bill No. 544, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 573, by Representatives Luders, Kuehne, Knowles, Schumaker, Haussler, Amen and Patterson:

Creating grass burning research advisory committee and setting forth its powers and duties.

The bill was read the third time and placed on final passage.

Mr. Luders spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Luders, with your remarks about this bill, I can't resist asking you, doesn't this allow the members of this committee to be paid out of state funds? You say that they are doing so much to help themselves with their own contributions."

Mr. Luders: "This it will do. On the other hand, the full research study which they are underwriting is the real cost to the state of Washington. The other issue is that a public member who represents the Washington Environmental Council is currently on that and he is being financed by these users and with the unlikely chance that somebody might challenge it, we thought it might be worthwhile for the few dollars it involved to make it a statutorily mandated cut-off type committee."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 573, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Newhouse.

Not voting: Representatives Deccio, Eikenberry, Leckenby, Parker, Valle.

Engrossed House Bill No. 573, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

I wish to have it known that my vote on Engrossed House Bill No. 573 was in error and I meant to vote "yes."

R.M. BOND, 6th District.

**SUBSTITUTE HOUSE BILL NO. 651**, by Committee on Social and Health Services (Originally sponsored by Representatives Adams, Paris, Parker, Bauer and Fortson):

Making changes in the laws relating to chiropractic.

The bill was read the third time and placed on final passage.

Representatives Adams, Haley and Eikenberry spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 651, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Parker, Valle.

Substitute House Bill No. 651, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, consideration of **ENGROSSED HOUSE JOINT RESOLUTION NO. 27** was deferred, and the resolution was ordered held for tomorrow's third reading calendar.

**ENGROSSED SENATE BILL NO. 2268**, (as amended by the House) by Senators Rasmussen, Scott and Bailey (by State Treasurer request):

Directing the investment of current state funds.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2268 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Pardini.

Not voting: Representatives Deccio, Parker, Valle, and Mr. Speaker.

Engrossed Senate Bill No. 2268 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 118**, by Committee on Commerce (Originally sponsored by Representatives Berentson, Jastad, Gallagher, Laughlin and Gilleland - by Department of Motor Vehicles request):

Prescribing unfair vehicle business practices of dealers and salesmen.

The bill was read the third time and placed on final passage.

Mr. Warnke spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 118, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Moon, Parker, Perry, Valle.

Engrossed Substitute House Bill No. 118, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 175, by Representatives Hansen, Nelson and Clemente (by Department of Highways request):

Removing gross weight limitations for vehicles operated within project boundaries.

The bill was read the third time and placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 175, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Deccio, Parker, Valle, and Mr. Speaker.

House Bill No. 175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 340, by Committee on Higher Education (Originally sponsored by Representatives Charnley, Peterson and Douthwaite):

Providing for the acquisition and disposition of documents or materials by the museum of the University of Washington.

The bill was read the third time and placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 340, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Hendricks, Parker, Valle.

Substitute House Bill No. 340, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 352, by Representatives Pardini, Wojahn, Bagnariol and Curtis:

Regulating preneed funeral service contracts.

The bill was read the third time and placed on final passage.

Mr. Warnke spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 352, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Cochrane.

Not voting: Representatives Deccio, Parker, Smith E. P., Valle.

Engrossed House Bill No. 352, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 366, by Representative Conner:

Changing fuel tax requirements for interstate commercial vehicles.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 366, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Parker, Valle.

House Bill No. 366, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 431, by Representatives Barnes, Haley, Parker, Lee, Hawkins, Becker, Sommers, Eikenberry, Chatalas and Blair:

Permitting administration of medication to aged persons in boarding homes under certain circumstances.

The bill was read the third time and placed on final passage.

Representatives Barnes and Haley spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Randall.

Mr. Randall: "The bill as originally written and as a law refers to admitting persons to boarding homes, but the new language refers to providing medication. If you read the thing in one sentence it doesn't fit, I don't think. The law talks about admitting people to boarding homes or nursing facilities, but the new language refers to applying medication. It seems to me that it's hooked together wrong and I would just like your remarks on it."

Mr. Barnes: "It does read a little awkward; however I believe the wording will take care of the situation according to the regulations which have been put together by the Department of Social and Health Services here. The regulations which read '...that the responsibility of the manager of a boarding home to admit and retain only persons who are capable of independent self-care and self-administration of their own medication,' to see that the laws and regulations for boarding homes are complied with. Then it quotes the law here and has an interpretation. I feel that this wording will handle the situation. If it doesn't, I will try to get an amendment placed on it; I will consult with the Department of Social and Health Services and if it doesn't handle the situation, I will get the amendment placed on it in the Senate and we can concur with it later."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 431, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Conner.

Not voting: Representatives Deccio, Matthews, Parker, Valle.

House Bill No. 431, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 491, by Representatives Warnke, Bausch and Gilleland:

Prescribing a change in retained percentage procedures on public works contracts.

The bill was read the third time and placed on final passage.

Mr. Warnke spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 491, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Parker, Valle, Whiteside.

House Bill No. 491, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 563, by Representatives Charnley, Brown, King and Hawkins:

Instructing absentee voters on write-in procedure.

The bill was read the third time and placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 563, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Parker, Valle.

House Bill No. 563, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 594**, by Committee on Constitution and Elections (Originally sponsored by Representatives King, Brown and Moon):

Authorizing punch card ballots to be sent to center at University of Washington for utilization of election statistical data.

The bill was read the third time and placed on final passage.

Mr. Brown spoke in favor of passage of the bill, and Mr. Zimmerman spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 594, and the bill passed the House by the following vote: Yeas, 70; nays, 25; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Douthwaite, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Becker, Bond, Chandler, Curtis, Dunlap, Eng, Flanagan, Freeman, Gilleland, Haley, Hayner, Hendricks, Hurley M., Knowles, Kuehnle, Lee, Matthews, Paris, Patterson, Polk, Schumaker, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Deccio, Parker, Valle.

Substitute House Bill No. 594, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 750**, by Representatives Haussler, Amen, Charette, Newhouse, Wojahn, Lee, Lysen, Ehlers and Zimmerman:

Permitting libraries to pay in advance for books.

The bill was read the third time and placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 750, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Parker, Valle.

House Bill No. 750, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 760, by Representatives Warnke and Bausch:**

Permitting deduction of retired allowance for payment of health care.

The bill was read the third time and placed on final passage.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 760, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Parker, Valle, Wojahn.

Engrossed House Bill No. 760, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE JOINT MEMORIAL NO. 18, by Representatives Kalich, Jastad, Thompson, Paris, Charette and Smith (Edward):**

Requesting that the post office at Deep River not be closed.

The memorial was read the third time and placed on final passage.

Mr. Kalich spoke in favor of passage of the memorial.

**ROLL CALL**

The Clerk called the roll on the final passage of House Joint Memorial No. 18, and the memorial passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Parker, Sommers, Valle.

House Joint Memorial No. 18, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**POINT OF PERSONAL PRIVILEGE**

Mr. Charette: "Mr. Speaker, members of the House, under personal privilege, I feel that when we have run a consent calendar, that it really helps to explain to those who are observing that it is in fact a consent calendar, where all of the members of the House have agreed that this series of bills that we have just considered are bills that should be passed and sent to the Senate. All of the members have had these bills presented to them and have been briefed in caucus. It may appear to some people who are observing that the members of the House are really not paying attention, but each member of the House has known and been told what each bill was."

**MOTION**

On motion of Mr. Charette, the House reverted to the sixth order of business.

**SECOND READING**

**HOUSE BILL NO. 569:**

The House resumed consideration of House Bill No. 569 on second reading.

The Speaker (Mr. Chatalas presiding) stated the question before the House to be the committee amendment to page 2.

Mr. Pardini moved adoption of the following amendment to the committee amendment: On line 3 of the committee amendment strike "four" and insert "eight"

Mr. Pardini spoke in favor of the amendment to the amendment, and Mr. Bauer spoke against it.

The amendment to the committee amendment was not adopted.

The Speaker (Mr. Chatalas presiding) stated the question before the House to be the committee amendment.

Mr. Bauer spoke in favor of the committee amendment.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "We clashed over this issue and I want to build back that friendship, so this is in good intent and as a friend of this idea. I did wonder whether in terms of the amendment where it says '...exemptions for those special programs or school districts deemed unable to practically meet the pupil/teacher ratio' and then it says '...by virtue of the small number of pupils.' First of all, could you give an example of what you call a special program that would be exempt here, and then secondly, would you explain the small number of pupils virtue?"

Mr. Bauer: "Thank you, Representative Zimmerman, and get the record straight that Representative Zimmerman and I have always been friends and we always will be contrary to what has been gleaned out of what was said the other day. I probably should say that I wish I had a record as good as Representative Zimmerman's, with his ten years down here in support of education. It has been good; I applaud him for that. In responding to the second part of your question in terms of small number of pupils, we certainly are going to have school districts that have only a few first graders, a few second, and a few third. We do not want to hamper their discretion to provide the best working relationship and this may do that in those small districts. There may be some programs in school districts that, if they will get an optimum result out of having a little different relationship, we would like to leave that up to the state board to make a final decision on."

Mr. Newhouse spoke against adoption of the committee amendment.

The committee amendment was adopted.

On motion of Mr. Bauer, the committee amendment to page 3 was adopted.

The Clerk read the following amendment by Representative Pardini:

On page 1, section 1, line 30 strike "three" and insert "seven"

With the consent of the House, Mr. Pardini withdrew the amendment.

Mrs. Fortson moved adoption of the following amendments by Representatives Fortson and Bauer:

On page 1, line 25 after "((secondary))" strike "all schools within" and insert "((schools))"

On page 1, line 28 after "no" strike "public schools" and insert "school district"

Mrs. Fortson spoke in favor of the amendments.

#### POINT OF INQUIRY

Mrs. Fortson yielded to question by Mr. Pardini.

Mr. Pardini: "Mrs. Fortson, I got a little bit confused by your last remarks. Did I understand you correctly to say that if a school did not comply in one elementary school in grades one through three on the student/teacher ratio, that the entire district might lose accreditation?"

Mrs. Fortson: "The purpose of the amendment is to place the whole district rather than to pick out one school. It does not mean that if you had one school that did not meet the requirement that you would lose your whole accreditation. You might be put on probationary or temporary status until that is improved as we do at the present time in the high schools."

Mr. Pardini spoke against adoption of the amendments.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Fortson and Bauer to House Bill No. 569, and the amendments were adopted by the following vote: Yeas, 62; nays, 29; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Kalich, Kilbury, King, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Charnley, Curtis, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Juelling, Kuehnle, Leckenby, Lee, Newhouse, Pardini, Paris, Patterson, Polk, Schumaker, Tilly.

Not voting: Representatives Blair, Deccio, Jastad, Knowles, Matthews, Parker, Valle.

On motion of Mr. Bauer, the committee amendment to the title was adopted.

House Bill No. 569 was ordered engrossed and passed to Committee on Rules for third reading.

## POINT OF PERSONAL PRIVILEGE

Mr. Nelson: "Mr. Speaker, ladies and gentlemen of the House: As long as we are talking about education I thought I would bring to your attention a situation in the Edmonds school district which, in fact, captures my entire legislative district. Yesterday I had the opportunity to witness the first defeat of the central levy in the Edmonds School District in its entire history and I can guarantee you that the morale and the feelings of the people in this district is very low. They are counting on this legislature to perhaps continue what was expressed by a number of people in these halls during the campaign, to alleviate this problem of special levies. I simply want to rise and take this opportunity to urge and appeal to this body to accomplish this very thing at this time without delay, and essentially be able to alleviate the special levy problem in this state without the depletion of our available funds or our available energies. Thank you."

## MOTIONS

On motion of Mr. Charette, the House advanced to the eighth order of business.

On motion of Mr. Charette, HOUSE BILL NO. 1107 was rereferred from Committee on State Government to Committee on Commerce.

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Thursday, March 27, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FOURTEENTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Thursday, March 27, 1975.

The House was called to order at 10:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Deccio, Laughlin, Leckenby and Valle, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tari Hill and Mark Guelfi. Prayer was offered by Reverend E. Harold Ogren of the Evergreen Christian Center of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

March 26, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2092,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2092, by Committee on Judiciary (Originally sponsored by Senators Francis, Woody and Jones):

Enacting a new criminal code for crime against persons.

To Committee on Judiciary

### REPORTS OF STANDING COMMITTEES

March 25, 1975

ENGROSSED SUBSTITUTE HOUSE BILL NO. 44, Prime Sponsor: Representative Parker, relating to child abuse. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Blair, Curtis, Ehlers, Flanagan, Freeman, Gaspard, Hansey, McKibbin, Smith (Edward), Warnke.

To Committee on Rules for second reading.

March 21, 1975

HOUSE BILL NO. 308, Prime Sponsor: Representative Parker, prescribing educational and professional requirements for the profession of optometry. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Becker, Cochrane, Deccio, Eng, Fischer, Fortson, Greengo, Haley, Hanna, May, Paris, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

March 26, 1975

HOUSE BILL NO. 513, Prime Sponsor: Representative Parker, providing a change in method of installment payment of assessments. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Cochrane, Fischer, Lee, McCormick, Smith (Edward).

To Committee on Rules for second reading.

March 25, 1975

**HOUSE BILL NO. 521,** Prime Sponsor: Representative Charnley, making housing cooperative units eligible for the retired persons' property tax exemptions. Reported by Committee on Ways and Means - Revenue.

**MAJORITY recommendation:** Do pass. Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Eikenberry, Hawkins, Hurley (George), Kilbury, Nelson, Pardini, Sommers, Williams.

To Committee on Rules for second reading.

March 25, 1975

**HOUSE BILL NO. 536,** Prime Sponsor: Representative Ceccarelli, providing for regulation of health care service contractors. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Financial Institutions.

March 21, 1975

**HOUSE BILL NO. 542,** Prime Sponsor: Representative Adams, creating a board to regulate and license the practice of massage. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Bauer, Becker, Cochrane, Eng, Fischer, Fortson, Hanna, May.

To Committee on Rules for second reading.

March 25, 1975

**HOUSE BILL NO. 639,** Prime Sponsor: Representative Warnke, providing for a public school employees insurance board for classified employees and setting out powers and duties relating thereto. Reported by Committee on Financial Institutions.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Bagnariol, Chatalas, McCormick, Pardini, Parker.

**MINORITY recommendation:** Do not pass. Signed by Representatives Blair, Eikenberry.

To Committee on Rules for second reading.

March 25, 1975

**HOUSE BILL NO. 707,** Prime Sponsor: Representative Chatalas, raising license fees and raising maximum amount small loan companies can loan. Reported by Committee on Financial Institutions.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 10, immediately following line 7 insert two new subsections as follows:

"(6) No licensee under this act shall knowingly divide a loan arising from a single transaction into multiple loans with another licensee which would cause a higher rate of charge.

"(7) If a loan is made that discharges one or more loans made by licensees under this act, such licensee shall within ten days of such discharge release and terminate all security agreements covering property owned by the borrower."

Signed by Representatives Ceccarelli, Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Leckenby, McCormick, Pardini, Polk.

**MINORITY recommendation:** Do not pass. Signed by Representatives Lysen, Moon.

To Committee on Rules for second reading.

March 25, 1975

**HOUSE BILL NO. 781,** Prime Sponsor: Representative Bagnariol, establishing a state-wide uniform accounting system. Reported by Committee on Ways and Means - Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Curtis, Ehlers, Freeman, Gaspard, Hansey, McKibbin, Smith (Edward), Warnke.

To Committee on Rules for second reading.

March 26, 1975

**HOUSE BILL NO. 876, Prime Sponsor:** Representative Kilbury, relating to irrigation development. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Agriculture.

March 26, 1975

**HOUSE BILL NO. 1175, Prime Sponsor:** Representative Kilbury, relating to honey bees. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Agriculture.

March 26, 1975

**HOUSE BILL NO. 1204, Prime Sponsor:** Representative Becker, relating to artificial honey products. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Agriculture.

March 26, 1975

**SENATE BILL NO. 2127, Prime Sponsor:** Senator Jolly, expanding the definition of "construction project" for PUD purposes. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Cochran, Fischer, Lee, McCormick, North, Smith (Edward), Wilson.

To Committee on Rules for second reading.

March 26, 1975

**ENGROSSED SENATE BILL NO. 2384, Prime Sponsor:** Senator Guess, permitting investment of excess city funds in LID interim financing warrants. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Cochran, Fischer, Lee, McCormick, North, Paris, Smith (Edward), Wilson.

To Committee on Rules for second reading.

March 26, 1975

**ENGROSSED SENATE BILL NO. 2402, Prime Sponsor:** Senator Bailey, permitting port district commissioners to delegate authority to managing official. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Fischer, Lee, McCormick, North, Smith (Edward), Wilson.

To Committee on Rules for second reading.

March 25, 1975

**ENGROSSED SENATE BILL NO. 2530, Prime Sponsor:** Senator Walgren, relating to highways. Reported by Committee on Transportation and Utilities.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 1, following line 17 insert a new section to read as follows:

"NEW SECTION. Sec. 3. There is hereby appropriated from the state general fund to the Washington state highway commission for the biennium ending June 30, 1975, \$20,000 for supportive services to minority contractor training programs: PROVIDED. That any funds expended from this appropriation shall be fully reimbursable from federal funds authorized by P.L. 91-65 Title 1."

Remember the remaining section.

Signed by Representatives Perry, Chairman; Bender, Ceccarelli, Clemente, Conner, Gallagher, Gilleland, Hansen, Hayner, Kalich, Leckenby, Lee, Martinis, McCormick, Patterson, Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Bond, Chandler, Laughlin, Schumaker, Seeberger.

To Committee on Rules for second reading.

#### SECOND READING

On motion of Mr. Charette, consideration of House Bill No. 591 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 42, by Representative Kilbury:

Including irrigation districts in the interlocal cooperation act.

The bill was read the second time.

Committee on Local Government recommendation: Majority. do pass as amended. (For amendment, see Journal, Twenty-third Day, February 4, 1975.)

On motion of Mr. Haussler, the committee amendment was adopted.

House Bill No. 42 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill no. 42 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 42, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Deccio, Laughlin, Leckenby, Tilly, Valle, Whiteside.

Engrossed House Bill No. 42, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, HOUSE BILL NO. 47 was rereferred to Committee on Rules.

HOUSE BILL NO. 67, by Representative Nelson:

Providing for popular election of mayor in council-manager code cities.

The bill was read the second time.

On motion of Mr. Haussler, Substitute House Bill No. 67 was substituted for House Bill No. 67, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 67 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 67 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 67, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler,



Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Patterson.

Not voting: Representatives Blair, Deccio, Laughlin, Leckenby, Valle.

Substitute House Bill No. 67, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 183, by Representatives Bagnariol, Warnke and Fischer:**

Increasing public works mandatory bid limit.

The bill was read the second time.

On motion of Mr. Haussler, Substitute House Bill No. 183 was substituted for House Bill No. 183, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 183 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 183 was placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 183, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Hurley G. S., Patterson.

Not voting: Representatives Blair, Deccio, Laughlin, Leckenby, Valle.

Substitute House Bill No. 183, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 309, by Representatives Knowles, Smith (Rick), Seeberger and Eikenberry:**

Providing for a uniform procedure for filing tort claims against governmental entities.

On motion of Mr. Knowles, Substitute House Bill No. 309 was substituted for House Bill No. 309, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 309 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 309 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 309, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall,

Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Gaines, Laughlin, Leckenby, Valle.

Substitute House Bill No. 309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 383**, by Representatives Randall, Brown and Luders;

Permitting salaries to be set out in total amount under each budget class in a school district preliminary budget.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and House Bill No. 383 was placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 383, and the bill passed the House by the following vote: Yeas, 90; nays, 2; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Lee, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Knowles, Matthews.

Not voting: Representatives Deccio, Laughlin, Leckenby, Maxie, Sherman, Valle.

House Bill No. 383, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 389**, by Representatives Charnley, Newhouse and King:

Exempting certain nongovernmental educational institutions from certain provisions of the unemployment compensation law.

On motion of Mr. Savage, Substitute House Bill No. 389 was substituted for House Bill No. 389, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 389 was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 389 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 389, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Eikenberry.

Not voting: Representatives Deccio, Laughlin, Leckenby, Valle.

Substitute House Bill No. 389, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 467**, by Representatives McKibbin, King, Seeberger, Brown, Bauer, Chandler, Moreau and Hawkins:

Regulating use of candidates' picture in political advertising.

The bill was read the second time.

Mr. McKibbin moved adoption of the following amendment:

On page 1, line 17 after "unlawful." strike all language down to and including "was taken." on line 20 and insert the following: "At least one picture of the candidate used in any political advertising shall have been taken within the last five years and shall be no smaller than the largest of any other candidate picture used in the same advertisement."

Mr. McKibbin spoke in favor of the amendment, and Mr. Barnes spoke against it.

#### POINT OF INQUIRY

Mr. McKibbin yielded to question by Mr. Patterson.

Mr. Patterson: "I am a little concerned about the application of the size of the picture that you might use. Can you delineate exactly how this would work? As I read it, you would have to make sure in your advertising campaign material that all of the pictures would have to be basically the same size."

Mr. McKibbin: "No, this would not be true. This merely requires that if you were an individual and chose to use a collage or a combination of pictures in any piece of advertising of any sort, that the largest of those pictures, or equal to the largest picture, must be a recent photograph of yourself. Of course, you may choose not to use any photograph at all. This does not put a restriction on the type of photograph or the size, but merely says that the single one will be recent within five years, will not be a small individual photograph put down in the side corner, overviewed or pushed aside by the other larger photographs."

#### POINT OF INQUIRY

Mr. McKibbin yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative McKibbin, suppose I am running against a competitor and I am running a political ad and the two of us are putting our pictures in the paper. According to this amendment it says that my picture may not be any smaller than his picture. It does not say that my picture may not be larger than his picture, however. What is the intention?"

Mr. McKibbin: "Yes, that is correct. I would suggest Mr. Douthwaite, that yours should be larger if you are paying for the advertisement."

Mr. Douthwaite: "They could be of unequal size?"

Mr. McKibbin: "Yes, they could be of unequal size and yours could be larger."

The amendment was adopted.

#### MOTION

On motion of Mr. Charette, further consideration of House Bill No. 467 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 475, by Representatives Bagnariol and Gaines:

Amending state higher education personnel law to allow participation of director of the office of program planning and fiscal management on items having financial impact.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifty-seventh Day, March 10, 1975.)

On motion of Ms. Sommers, the committee amendment was adopted.

House Bill No. 475 was ordered engrossed.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 475 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 475, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Patterson.

Not voting: Representatives Deccio, Laughlin, Leckenby, Valle.

Engrossed House Bill No. 475, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 530, by Representatives Haussler and Kilbury:

Amending laws relating to irrigation districts.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifth Day, Ex. Sess., March 18, 1975.)

Mr. Haussler moved adoption of the first committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the first committee amendment to House Bill No. 530, and the amendment was adopted by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Warnke.

Not voting: Representatives Blair, Deccio, Laughlin, Leckenby, Valle.

On motion of Mr. Haussler, the second committee amendment was adopted.

House Bill No. 530 was ordered engrossed.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 530 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 530, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Warnke.

Not voting: Representatives Deccio, Laughlin, Leckenby, Valle.

Engrossed House Bill No. 530, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House deferred action on HOUSE BILL NO. 561, HOUSE BILL NO. 595, HOUSE BILL NO. 733 and HOUSE BILL NO. 739, and the bills were ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 962, by Representatives Kilbury and Amen:

Revising laws on agriculture inspection.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and House Bill No. 962 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 962, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Warnke.

Not voting: Representatives Deccio, Laughlin, Leckenby, Valle.

House Bill No. 962, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2026, by Senators Walgren, Beck, Jones, Talley and Goltz:

Exempting inventory of sheltered workshops from property taxation.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendment, see Journal, Sixth Day, Ex. Sess., March 19, 1975.)

On motion of Mr. Randall, the committee amendment was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2026 as amended by the House was placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2026 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Laughlin, Leckenby, Valle.

Senate Bill No. 2026 as amended by the House, having receiving the constitutional majority, was declared passed. The title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, action on ENGROSSED SENATE BILL NO. 2096 was deferred, and the bill was ordered placed on tomorrow's second reading calendar.

SENATE JOINT MEMORIAL NO. 108, by Senators Peterson and Lewis (Harry):

Memorializing the President and Congress to expand reforestation work on national forest lands.

The memorial was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 108 was placed on final passage.

Mr. Martinis spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 108, and the memorial passed the House by the following vote; Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Laughlin, Leckenby, Thompson, Valle.

Senate Joint Memorial No. 108, having received the constitutional majority, was declared passed.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 462, by Committee on Ecology (Originally sponsored by Representatives Flanagan, Amen, Hansen, Kilbury, Newhouse, Curtis and Tilly):

Exempting irrigation systems from shorelines management.

The bill was read the third time and placed on final passage.

Mr. Flanagan spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Luders, it was my intent, as prime sponsor of House Bill No. 462 in its original form, that the exemption of certain irrigation facilities and operations from the definition of 'substantial development' in the Shorelines Management Act of 1971 would be limited to those facilities and operations that were primarily for irrigation purposes. That is, it was not my intent to exempt developments constructed for a purpose secondary to irrigation nor my intent to exempt nonirrigation developments from the definition simply because such developments were to be constructed on irrigation canals, drains, reservoirs or other facilities constructed primarily for irrigation. Is that also the intent of the Ecology Committee's substitute bill?"

Mr. Luders: "Absolutely. The committee sought to limit the exemption to the irrigation support activities cited in the substitute bill and was assured by expert testimony that developments whose primary purpose was not irrigation would not be interpreted as being included within the exemption. It was on the basis of that testimony and intent that I, and I believe the other members of the committee, supported and reported favorably the substitute bill."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 462, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall,

Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Williams.

Not voting: Representatives Deccio, Laughlin, Leckenby, Valle.

Engrossed Substitute House Bill No. 462, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, action on ENGROSSED HOUSE JOINT RESOLUTION NO. 27 was deferred, and the resolution was ordered held until Monday's third reading calendar.

ENGROSSED HOUSE BILL NO. 173, by Representatives Clemente, Gaspard and Hendricks:

Requiring school board directors when making available rules regarding pupil conduct, discipline and rights to spell out rights and authority of teachers.

The bill was read the third time and placed on final passage.

Mr. Clemente spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 173, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kuehnle.

Not voting: Representatives Bagnariol, Deccio, Laughlin, Leckenby, Shipoch, Valle.

Engrossed House Bill No. 173, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 176, by Representatives Ceccarelli, Pardini, Hendricks and Matthews:

Providing for public employee deferred compensation.

The bill was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 176, and the bill passed the House by the following vote: Yeas, 92, nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bagnariol, Deccio, Laughlin, Leckenby, Shipoch, Valle.

Engrossed House Bill No. 176, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 397, by Representative Cochrane:

Specifying form of notice and result of election for change of location of county seat.

The bill was read the third time and placed on final passage.

Ms. Cochrane spoke in favor of the bill, and Mr. Zimmerman spoke against it.

#### POINT OF ORDER

Mr. Boldt: "Mr. Speaker, the member is reading material on the floor without permission of the body."

The Speaker: "Representative Boldt, I think that if I was watching correctly, he was just waving the material. Continue, Mr. Zimmerman."

Mr. Zimmerman continued his remarks in opposition to the bill.

Representatives Boldt and Haussler spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 397, and the bill passed the House by the following vote: Yeas, 57; nays, 35; not voting 6.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Gaspard, Haley, Hanna, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Kalich, Kilbury, King, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Perry, Peterson, Randall, Savage, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Bond, Brown, Chandler, Curtis, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gilleland, Greengo, Hansen, Hansey, Hendricks, Jastad, Juelling, Knowles, Kuehnle, Matthews, Newhouse, Paris, Parker, Patterson, Polk, Schumaker, Seeberger, Tilly, Wilson, Zimmerman.

Not voting: Representatives Deccio, Laughlin, Leckenby, Nelson, Valle, Whiteside.

House Bill No. 397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please record me as a no vote on House Bill No. 397.

JIM WHITESIDE, 14th District.

SUBSTITUTE HOUSE BILL NO. 511, by Committee on Agriculture (Originally sponsored by Representatives Becker, Kilbury, Erickson, Hansen, Amen, Hansey, Moreau, Tilly, Schumaker, Berentson, Sherman, North, Laughlin and Moon):

Requiring that milk producers be paid costs of production.

The bill was read the third time and placed on final passage.

Representatives Becker, Hansey and Kilbury spoke in favor of the bill, and Mr. Barnes spoke against it.

#### POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Peterson.

Mr. Peterson: "Representative Becker, you said in part of your testimony concerning this bill that this would not necessarily increase prices at the retail level. If, in fact, the director establishes prices at the wholesale level above the market, how could you avoid affecting the price to the consumer at the retail level?"

Ms. Becker: "Representative Peterson, the way you can avoid that is that the handlers will absorb the cost. What we are talking about in the raise in the price at the retail level is only on the order of about thirty-five or forty cents a hundred weight. A dollar a hundred weight is eight cents a gallon; a penny a hundred weight is eight-tenths of a hundredths of a cent on a gallon; so what is a lot to the farmers is very little when you come to the retail cost of milk. The thing is that the retail cost of milk has stayed pretty much the same whereas the price that the farmers are getting for their milk has gone down. So there is no reason why the price they are getting shouldn't come up a little bit and still have the same retail price prevail. One of the factors that keeps the retail price from going up is the existence of the producer-handler category which Representative Barnes mentioned, because these are the people who already have a competitive advantage and are already selling their milk at the retail level for



less than regular farmers do. They are not included in the federal milk marketing order system and they would not be included in this system. The dairy farmers do not want their retail price to go up to the point where the producer-handler or jugger is going to have even more of a competitive advantage than they do now."

Mr. Peterson: "The base of your assumption then is that the middleman is going to absorb the increase in cost?"

Ms. Becker: "That's right."

Representatives Moon and Amen spoke in favor of passage of the bill, and Representatives Sommers, Brown and Bond spoke against it.

Mr. Charette demanded the previous question.

#### ROLL CALL

The Clerk called the roll on the demand by Mr. Charette for the previous question, and the demand was sustained by the following vote: Yeas, 66; nays, 27; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansey, Hawkins, Jueling, Kalich, Kilbury, King, Knowles, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Chandler, Dunlap, Eikenberry, Fortson, Freeman, Gilleland, Haley, Hansen, Haussler, Hendricks, Hurley G. S., Hurley M., Jastad, Kuehnle, Maxie, Moon, Nelson, Pardini, Paris, Polk, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Deccio, Hayner, Laughlin, Leckenby, Valle.

Ms. Becker closed debate, speaking in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 511, and the bill passed the House by the following vote: Yeas, 60; nays, 34; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Berentson, Boldt, Charette, Charnley, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Luders, Lysen, Martinis, May, McCormick, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Randall, Savage, Schumaker, Sherman, Thompson, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bender, Blair, Bond, Brown, Ceccarelli, Chandler, Chatalas, Dunlap, Eikenberry, Eng, Fischer, Freeman, Gilleland, Greengo, Haley, Hurley G. S., Jueling, Kuehnle, Lee, Matthews, Maxie, McKibbin, Nelson, Perry, Peterson, Polk, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Williams.

Not voting: Representatives Deccio, Laughlin, Leckenby, Valle.

Substitute House Bill No. 511, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House advanced to the eighth order of business.

#### MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 1154 was rereferred from Committee on Ecology to Committee on Social and Health Services.

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Friday, March 28, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

\*  
**FIFTEENTH DAY**

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**MORNING SESSION**

---

House Chamber, Olympia, Wash., Friday, March 28, 1975.

The House was called to order at 10:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present, except Representatives Adams and Deccio who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karen O'Brien and Wendy Ewing. Prayer was offered by Pastor Glen D. Cole of the Evergreen Christian Center of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGE FROM THE GOVERNOR**

March 28, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 27, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 18: Changing certain laws relating to dentistry.

HOUSE BILL NO. 316: Placing five year statute of limitations on claims against state for state warrants and permitting destruction of redeemed warrants after six years.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

**MESSAGES FROM THE SENATE**

March 27, 1975

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2124,  
SUBSTITUTE SENATE BILL NO. 2183,  
SENATE BILL NO. 2208,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 26, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 2079, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

**MOTION**

On motion of Mr. Gaspard, the House refused to recede from its amendments to Senate Bill No. 2079, and again asked the Senate to concur therewith.

**INTRODUCTION AND FIRST READING**

SENATE BILL NO. 2124, by Senator Scott:

Repealing laws relating to mine to market roads.

To Committee on Natural Resources

SUBSTITUTE SENATE BILL NO. 2183, by Committee on Commerce (Originally sponsored by Senator Day - by Department of Motor Vehicles request):

Providing for the establishment of fees for businesses and professions.

To Committee on Commerce

SENATE BILL NO. 2208, by Senators Lewis (Bob), Fleming and Murray:

Authorizing the purchase of alcoholic beverages at discount for use in special alcohol programs.

To Committee on Social and Health Services

#### REPORTS OF STANDING COMMITTEES

March 26, 1975

HOUSE BILL NO. 296, Prime Sponsor: Representative Sommers, increasing petty cash account limit. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8 after "exceed" strike "~~(fifteen)~~ fifty" and insert "fifteen"

On page 1, line 9 after "agency" insert "": PROVIDED. That for the department of social and health services the petty cash account shall not exceed fifty thousand dollars"

Signed by Representatives Adams, Chairman; Becker, Cochrane, Fischer, Greengo, Haley, Hanna, Hendricks, May, Paris, Peterson, Whiteside.

To Committee on Rules for second reading.

March 26, 1975

HOUSE BILL NO. 516, Prime Sponsor: Representative Laughlin, adding use of certified mail to registered mail where appropriate in code. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson, O'Brien, Polk, Williams.

To Committee on Rules for second reading.

March 26, 1975

HOUSE BILL NO. 611, Prime Sponsor: Representative O'Brien, providing for regional port districts. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 7, line 34 after "section" strike "12" and insert "11"

On page 12, beginning on line 19 strike all of the material down to and including "act." on page 14, line 20 and insert the following:

"(2) As of January 1, 1981, and thereafter until January 1, 1982, regional port districts may only levy taxes not to exceed twenty-two and one-half cents per thousand dollars of assessed valuation of the taxable property in such regional port district for general port purposes.

(3) As of January 1, 1982, and thereafter until January 1, 1983, regional port districts may only levy taxes not to exceed eighteen cents per thousand dollars of assessed valuation of the taxable property in such regional port district for general port purposes.

(4) As of January 1, 1983, and thereafter until January 1, 1984, regional port districts may only levy taxes not to exceed thirteen and one-half cents per thousand dollars of assessed valuation of the taxable property in such regional port district for general port purposes.

(5) As of January 1, 1984, and thereafter until January 1, 1985, regional port districts may only levy taxes not to exceed nine cents per thousand dollars of assessed valuation of the taxable property in such regional port district for general port purposes.

(6) As of January 1, 1985, and thereafter until January 1, 1986, regional port districts may only levy taxes not to exceed four and one-half cents per thousand dollars of assessed valuation of the taxable property in such regional port district for general port purposes.

(7) As of January 1, 1986, and thereafter, regional port districts shall not levy taxes for general port purposes as provided in subsection (1) of this section.

NEW SECTION. Sec. 25. There is added to chapter 53.36 RCW a new section to read as follows:

All of the tax levying powers of regional port districts shall be subject to legislative review after January 1, 1983.

NEW SECTION. Sec. 26. There is added to chapter 53.36 RCW a new section to read as follows:

It is the intent of the legislature that when regional port districts issue bonds that, whenever feasible, such bonds shall be revenue bonds rather than general obligation bonds."

Renumber the remaining sections consecutively.

On page 15, beginning on line 31 strike all of the material down to and including "purposes." on page 16, line 33 and renumber consecutively.

On page 16, line 34 after "20" strike "25 through 27, and 34" and insert "25, 26 and 30"

On page 1, beginning on line 10 of the title, after "53.36.020;" strike all of the material down to and including "53.36.030;" on line 12.

On page 1, beginning on line 17 of the title, after "53.36.100;" strike all of the material down to and including "53.54.040;" on line 19.

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hurley (Margaret), Leckenby, McKibbin, O'Brien.

To Committee on Rules for second reading.

March 27, 1975

HOUSE BILL NO. 806, Prime Sponsor: Representative Randall, prescribing a change in assessing inspection fees for winter sports activity conveyances. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives Hurley (Margaret), Chairwoman; Gaines, Vice Chairman; Curtis, Lee, North, Peterson, Seeberger.

To Committee on Rules for second reading.

March 27, 1975

HOUSE BILL NO. 880, Prime Sponsor: Representative Luders, relating to water resource management. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ecology.

March 27, 1975

HOUSE BILL NO. 881, Prime Sponsor: Representative Luders, relating to water resource management. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ecology.

March 26, 1975

HOUSE BILL NO. 988, Prime Sponsor: Representative Thompson, providing for presidential primaries. Reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

After the enacting clause strike all of the remaining language and insert:

"NEW SECTION. Section 1. In each year when a president of the United States is to be nominated and elected, there shall be held a presidential preference primary at which voters may vote for any one candidate of a major political party for nomination for president. The presidential preference primary shall be held on the fourth Tuesday in May of each presidential election year.

NEW SECTION. Sec. 2. Each voter shall have the opportunity to vote on the official presidential preference primary ballot for one person to be the candidate for nomination by a major political party for president of the United States or to vote "no preference" under a single political party designation as provided for in section 6 of this 1975 act. The name of any such candidate for a major political party nomination for president of the United States shall be printed on the ballots only:

(1) If the secretary of state shall have determined that the individual's candidacy is generally advocated or recognized in the national news media throughout the United States and shall have certified to each major political party, on or before the sixtieth day preceding the presidential preference primary, the names of the individuals he or she has determined to be recognized candidates for the nomination of that party to the office of president; or

(2) If members of the political party of the candidate shall have presented a petition for nomination of such candidate which shall have attached thereto a sheet or sheets containing the signatures of at least a number of registered voters who declare themselves in the petition as being affiliated with the same political party as such presidential candidate, equal to one percent of the vote cast in the state for the candidate of such political party for president at the last presidential election, or at least three thousand such registered voters, whichever number is the greater. The petition shall be filed with the secretary of state not later than the seventy-fifth day prior to the presidential preference primary. The signature sheets shall also contain the residence address and name or number of the precinct of each registered voter whose signature appears thereon and shall be certified to in the manner prescribed in RCW 29.79.200 and 29.79.210.

NEW SECTION. Sec. 3. Each major political party shall select delegates and alternate delegates to its national nominating convention by the method and under such rules and regulations as such party may prescribe: *Provided*, That each candidate for the position of delegate, prior to the selection of delegates, shall submit to the state chairman of the appropriate political party the following pledge:

Delegate Pledge

I, \_\_\_\_\_, do hereby swear that I am a supporter of \_\_\_\_\_ for the office of President of the United States; and that if elected as a delegate to the \_\_\_\_\_ Party National Convention I pledge to cast my ballot as a delegate to said convention for said candidate on the first two ballots unless released by said candidate, and I pledge furthermore to do all that I can to advance the cause of said candidate at the national convention.

**NEW SECTION. Sec. 4.** The presidential candidate of each political party who receives the highest number of votes at the primary shall be entitled to all of the delegate votes allotted to the state by the respective national committee: *Provided*, That if the rules of any national party require or permit proportional representation, the presidential candidates of such political party may be awarded a pro rata portion of the authorized delegate votes of that political party to be determined as follows:

(1) The aggregate vote received by the candidates, when combined, shall be equal to one hundred percent, except that if any candidate receives less than fifteen percent of the total vote cast, such candidate shall not share in such pro rata portion of the delegate votes and the votes received by such candidate shall not be included in the aggregate vote: *Provided*, That for the purpose of such apportionment the pro rata share awarded to each such presidential candidate may be determined on the basis of the aggregate vote for all such eligible presidential candidates in each congressional district; and

(2) The total vote received by each candidate of such political party shall be mathematically converted to a percentage directly proportional to the aggregate vote received by all candidates of such political party who meet the requirements of this section; and

(3) Such political party shall then apportion the percentage or percentages determined in subsection (2) of this section to the total number of delegate votes as are allotted to the state by the national committee of such political party: *Provided*, That no delegate vote shall be fractionalized to accommodate a proportion determined in subsection (2) of this section.

If no candidate of a political party receives fifteen percent or more of the total vote cast, the delegates to a state convention of such political party shall determine how such delegate votes shall be awarded.

Each delegation shall be bound at its national nominating convention to vote for each candidate as determined by the primary until released by said candidate or until two convention nominating ballots have been cast. Delegate votes released by any candidate shall be considered uncommitted. In the event of the death of a candidate who has been allotted delegate votes prior to the nomination thereof, all such delegate votes shall be uncommitted.

**NEW SECTION. Sec. 5.** Insofar as is practicable, and where the provisions of this 1975 act do not specifically indicate otherwise, the presidential preference primary shall be conducted in the same manner as a state primary, including the certification of the election returns by the state canvassing board: *Provided*, That the secretary of state shall certify the names of all candidates who will appear on the presidential preference primary ballot to the respective county auditors on or before the fourth Tuesday in April of each presidential year. County auditors, at their discretion, may combine and consolidate two or more precincts for the purpose of conducting this election only: *Provided*, That no voter shall be required because of such consolidation to go to a location different from that of the last regular election. The secretary of state as chief election officer may make rules and regulations in accordance with chapter 34.04 RCW to facilitate the operation, accomplishment, and purpose of this 1975 act.

**NEW SECTION. Sec. 6.** The arrangement and form of presidential primary ballots shall be substantially as provided for any primary election within the state except as may be modified by this 1975 act or by rule or regulation of the secretary of state as provided for in section 5 of this 1975 act to adequately reflect the intent of this 1975 act.

The names of presidential candidates shall be listed alphabetically in separate columns according to political party affiliation. There shall be a  adjacent to the name of each candidate. In each column there shall be a  for the voter to indicate "no preference" under a single political party designation and a blank space following such list for writing in the name of another candidate if desired.

The ballot, in providing for a choice of president, shall set forth only such candidates with their political party affiliation as have qualified for a place thereon under section 2 of this 1975 act.

**NEW SECTION. Sec. 7.** At a presidential preference primary, a voter may cast no more than one vote on a ballot. Any presidential preference primary ballot with more than one vote shall be void and notice to this effect, couched in clear, simple language, and printed in large type, shall appear on the face of each presidential preference primary ballot. Where voting machines or electronic voting devices are in use, the notice shall be displayed on or about each machine or device.

**NEW SECTION. Sec. 8.** Whenever a presidential preference primary election is held as provided by this 1975 act, the state of Washington shall assume all costs of holding such election if held alone: *Provided*, That if any other election or elections shall be held at the same time, the state shall be liable only for its prorated share. The county auditor shall determine the election costs, including the state's prorated share, if applicable, and shall file a certified claim therefore with the state auditor. The state auditor shall compile such claims for presentation to the next succeeding legislature in the same manner as other legislative relief claims.

**NEW SECTION. Sec. 9.** Section 1 through 8 of this 1975 act are added to Title 29 RCW as a new chapter thereof.

**NEW SECTION. Sec. 10.** If any provision of this 1975 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Chandler, Erickson, Knowles, Lysen, Sherman, Tilly.

MINORITY recommendation: Do not pass. Signed by Representatives Barnes, Brown, Hawkins.

To Committee on Ways and Means – Appropriations.

March 26, 1975

SENATE BILL NO. 2074, Prime Sponsor: Senator Talley, authorizing sewer districts to issue revenue warrants and revenue bond anticipation warrants and expanding authority in regard to revenue bonds. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 2 add a section to read as follows:

"Sec. 3. Section 3, chapter 128, Laws of 1939 as last amended by section 84, chapter 56, Laws of 1970 ex. sess. and RCW 57.20.020 are each amended to read as follows:

Whenever any issue or issues of water revenue bonds have been authorized in compliance with the provisions of RCW 57.16.010 through 57.16.040, said bonds shall be (~~either registered as to principal only or shall be bearer bonds~~) in bearer form or registered as to principal or interest or both, and may provide for conversion between registered and coupon bonds; shall be in such denominations, shall be numbered, shall bear such date, and shall be payable at such time or times up to a maximum period of not to exceed thirty years as shall be determined by the board of water commissioners of the district; shall bear interest at such rate or rates payable at such time or times as authorized by the board (~~payable semiannually and evidenced to maturity by coupons attached to said bonds~~); shall be payable at the office of the county treasurer of the county in which the water district is located and may also be payable at such other place or places as the board of water commissioners may determine; shall be executed by the president of the board of water commissioners and attested and sealed by the secretary thereof, one of which signatures may be a facsimile; and may have facsimile signatures of said president and secretary imprinted on the interest coupons in lieu of original signatures.

The water district commissioners shall have power and are required to create a special fund or funds for the sole purpose of paying the interest and principal of such bonds into which special fund or funds the said water district commissioners shall obligate and bind the water district to set aside and pay a fixed proportion of the gross revenues of the water supply system or any fixed amount out of and not exceeding a fixed proportion of such revenues, or a fixed amount or amounts without regard to any fixed proportion and such bonds and the interest thereof shall be payable only out of such special fund or funds, but shall be a lien and charge against all revenues and payments received from any utility local improvement district or districts pledged to secure such bonds, subject only to operating and maintenance expenses.

In creating any such special fund or funds the water district commissioners of such water district shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to and to any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants or other indebtedness, and shall not set aside into such special fund a greater amount or proportion of the revenue and proceeds than in their judgment will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenue so previously pledged. Any such bonds and interest thereon issued against any such fund as herein provided shall be a valid claim of the holder thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such water district within the meaning of the constitutional provisions and limitations. Each such bond or warrant shall state upon its face that it is payable from a special fund, naming the said fund and the resolution creating it. Said bonds shall be sold in such manner, at such price and at such rate or rates of interest as the water district commissioners shall deem for the best interests of the water district, either at public or private sale, and the said commissioners may provide in any contract for the construction and acquirement of the proposed improvement (and for the refunding of outstanding local improvement district obligations, if any) that payment therefor shall be made in such bonds at par value thereof.

When any such special fund shall have been heretofore or shall be hereafter created and any such bonds shall have been heretofore or shall hereafter be issued against the same a fixed proportion or a fixed amount out of and not to exceed such fixed proportion, or a fixed amount or amounts without regard to any fixed proportion, of revenue shall be set aside and paid into said special fund as provided in the resolution creating such fund or authorizing such bonds, and in case any water district shall fail thus to set aside and pay said fixed proportion or amount as aforesaid, the holder of any bond (~~against~~) payable from such special fund may bring suit or action against the water district and compel such setting aside and payment.

The water district commissioners of any water district, in the event that such water revenue bonds are issued, shall provide for revenues by fixing rates and charges for the furnishing of water supply to those receiving such service, such rates and charges to be fixed as deemed necessary by such water district commissioners, so that uniform charges will be made for the same class of customer or service. In classifying customers served or service furnished by such water supply system, the board of water commissioners may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; the location of the various customers within and without the district; the difference in cost of

maintenance, operation, repair and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the water furnished; the time of its use; capital contributions made to the system including but not limited to assessments; and any other matters which present a reasonable difference as a ground for distinction. Such rates shall be made on a monthly basis as may be deemed proper by such commissioners and as fixed by resolution and shall produce revenues sufficient to take care of the costs of maintenance and operation. revenue bond and warrant interest and principal amortization requirements and all other charges necessary for efficient and proper operation of the system."

Re-number section 3 as section 4.

On page 3, section 3 (renumbered section 4), line 8, after "bonds" and before "shall" insert "(exclusive of provisions relating to refunding)"

On page 3, beginning on line 13, add a new section as follows:

"NEW SECTION. Sec. 5. There is added to chapter 57.20 RCW a new section to read as follows:

Water districts may also issue revenue warrants and revenue bond anticipation warrants for the same purposes for which such districts may issue revenue bonds. The provisions of this chapter relating to the authorization, terms, conditions, covenants, issuance and sale of revenue bonds (exclusive of provisions relating to refunding) shall be applicable to such warrants. Water districts issuing revenue bond anticipation warrants may make covenants relative to the issuance of revenue bonds to provide funds for the redemption of part or all of such warrants and may contract for the sale of such bonds and warrants."

On line 1 of the title after "Relating to" and before the semicolon delete "sewer districts" and insert "local government"

On line 5 of the title after "56.16.080;" and before "adding" delete "and" and insert "amending section 3, chapter 128, Laws of 1939 as last amended by section 84, chapter 56, Laws of 1970 ex. sess. and RCW 57.20.020;"

On line 6 of the title after "chapter 56.16 RCW" and before the period insert ": and adding a new section to chapter 57.20 RCW"

Signed by Representatives Hanna, Vice Chairman; Douthwaite, Kalich, Laughlin, Amen, Cochran, Fischer, Lee, McCormick, North, Paris, Smith (Edward), Wilson.

To Committee on Rules for second reading.

## SECOND READING

HOUSE BILL NO. 591, by Representatives O'Brien, Warnke, Newhouse, Bausch and Ceccarelli:

Authorizing state funding for international trade fairs.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 591 was substituted for House Bill No. 591, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 591 was read the second time.

## MOTIONS

On motion of Mr. Thompson, further action on Substitute House Bill No. 591 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 739.

On motion of Mr. Thompson, consideration of HOUSE BILL NO. 467 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 591.

On motion of Mr. Thompson, consideration of HOUSE BILL NO. 561 was deferred, and the bill was ordered held for Monday's second reading calendar.

HOUSE BILL NO. 595, by Representatives Gaspard, Pardini, Ceccarelli and Moon:

Prohibiting certain practices by camping clubs and prescribing penalties.

The bill was read the second time.

On motion of Mr. Gaspard, the following amendments were adopted:

On page 2, section 3, line 1 after "may be" and before "for the" strike "imprisoned" and insert "convicted"

On page 2, section 4, line 12 after "the appropriate" and before "criminal proceedings" insert "civil or"

On page 3, section 8, line 23 after "hearing" and before "which shall" insert "which shall be effective upon delivery to the person affected and"

On page 4, section 9, line 9 after "application" strike the period and insert ": PROVIDED. That the director is not authorized to impose additional material substantive rules upon a permit holder as a condition for the issuance of a renewal permit under this section."

House Bill No. 595 was ordered engrossed and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 733, by Representatives Chatalas, Brown and Kalich:**

Authorizing solid waste collection and processing by cities and towns.

The bill was read the second time.

**Mr. Freeman moved adoption of the following amendment:**

On page 1, after line 29 insert a new section as follows:

"NEW SECTION. Sec. 3. There is added to Title 35 RCW a new section to read as follows:

Any city exercising powers pursuant to this act shall cooperate with the legislative authority of the county in which such city is located in accordance with the county solid waste management plan adopted pursuant to RCW 70.95."

**Mr. Brown moved adoption of the following amendment to the Freeman amendment by Representatives Brown and Douthwaite:**

On line 3 of the amendment after "shall" strike "cooperate" and insert "consult"

**Mr. Brown spoke in favor of the amendment to the amendment.**

#### POINT OF INQUIRY

**Mr. Brown yielded to question by Mr. Newhouse.**

**Mr. Newhouse:** "Representative Brown, I have an interest in this proposed amendment and you say they should not be as equals—the county and the city. I rather have a feeling that they should, but I am not opposing your amendment. I would like your comment on this situation: Obviously the city will want a site for this disposal of solid waste and obviously, to me, that site will not be within the city limits. Should not then the county have an equal interest in where that site is and to how it is operated, and would not 'cooperate' be a proper word?"

**Mr. Brown:** "Your point is well made as far as the siting situation, Representative Newhouse, but I think we serve the same purpose by the word 'consult.' In essence it's still a problem that they—well, we are still insuring that they are going to work together in the planning stages. I think the word 'cooperate' has some implication that they are going to operate together and that is what I am trying to avoid."

**Representatives Freeman and Hanna spoke against the amendment to the amendment, and Representatives Douthwaite and Perry spoke in favor of it.**

**Mr. Freeman spoke again in opposition to the amendment to the amendment.**

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Brown and Douthwaite to the amendment by Representative Freeman to House Bill No. 733, and the amendment was adopted by the following vote: Yeas, 49; nays, 45; not voting, 4.

**Voting yea:** Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Eng, Gaines, Gallagher, Gaspard, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Parker, Perry, Peterson, Randall, Seeburger, Shipoch, Smith E. P., Sommers, Thompson, Warnke, Williams, Wojahn, and Mr. Speaker.

**Voting nay:** Representatives Becker, Berentson, Boldt, Bond, Chandler, Cochrane, Curtis, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Juelling, Kalich, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, North, Paris, Patterson, Polk, Savage, Schumaker, Sherman, Tilly, Valle, Whiteside, Wilson, Zimmerman.

**Not voting:** Representatives Adams, Deccio, Pardini, Smith R.

The amendment by Mr. Freeman as amended was adopted.

**On motion of Mr. Freeman, the following amendment to the title was adopted:**

On line 4 of the title after "RCW" insert "; and adding a new chapter to Title 35 RCW"

House Bill No. 733 was ordered engrossed and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 739, by Representatives Ceccarelli, Pardini, Leckenby, Fischer, Blair, Chatalas, Parker, Polk, Charette, Eikenberry, Lysen, McCormick and Greengo:**

Establishing procedures for traveler's checks to be deemed unclaimed property.



The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifty-second Day, March 5, 1975.)

On motion of Mr. Ceccarelli, the committee amendment was adopted.

On motion of Mr. Ceccarelli, the following amendment to the title was adopted:  
On page 1, line 2 of the title strike "; and adding a new section to chapter 63.28 RCW"

House Bill No. 739 was ordered engrossed and passed to Committee on Rules for third reading.

**SUBSTITUTE HOUSE BILL NO. 591:**

The House resumed consideration of Substitute House Bill No. 591 on second reading.

Mr. Charnley moved adoption of the following amendment:  
On page 3, line 29 strike "or both categories" and insert "category"

Representatives Charnley and Warnke spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 591 was ordered engrossed and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 467**, by Representatives McKibbin, King, Seeberger, Brown, Bauer, Chandler, Moreau and Hawkins:

Regulating use of candidates' picture in political advertising.

(For previous action, see yesterday's Journal.)

The bill was ordered engrossed and passed to Committee on Rules for third reading.

**SUBSTITUTE HOUSE BILL NO. 211**, by Committee on Commerce (Originally sponsored by Representatives Amen, Conner, Curtis, Knowles, Zimmerman, May, Becker, Boldt, Kilbury, Laughlin and Whiteside):

Entitling retail implement or car dealer to recover price of articles upon discontinuance of contract by wholesaler or retail dealer.

The bill was read the second time and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Thompson, action on **HOUSE BILL NO. 40** was deferred, and the bill was ordered held for Monday's second reading calendar.

**HOUSE BILL NO. 139**, by Representatives Martinis, Bausch, Clemente, Kilbury, Matthews, Schumaker, Hurley (George), Moreau, Hansey, Whiteside and Bond:

Regulating the sales of valuable material from public lands.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, Thirteenth Day, Ex. Sess., March 26, 1975.)

On motion of Mr. Martinis, the committee amendments were adopted.

House Bill No. 139 was ordered engrossed and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 246**, by Representatives Thompson, Hayner, Adams, Eikenberry, Erickson, Curtis, Haley, Bond, Laughlin, Matthews, Paris and Randall:

Requiring plaintiff in medical malpractice action to prove defendant failed to exercise standard of care of profession.

On motion of Mr. Knowles, Substitute House Bill No. 246 was substituted for House Bill No. 246, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 246 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 342, by Representatives Savage, North and Gilleland (by Department of Labor and Industries request):

Revising laws relating to boiler inspection.

On motion of Mr. Savage, Substitute House Bill No. 342 was substituted for House Bill No. 342, and the substitute bill was placed on the calendar for second reading.

#### MOTION

On motion of Mr. Chatalas, further action on Substitute House Bill No. 342 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 344, by Representatives Savage, Thompson and North (by Department of Labor and Industries request):

Prescribing changes in industrial insurance procedures.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-sixth Day, February 27, 1975.)

On motion of Mr. Savage, the committee amendments were adopted.

House Bill No. 344 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 437, by Representatives Charnley, Patterson, Newhouse and Douthwaite (by Department of Highways request):

Specifying types of signs permissible which are visible from highways.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, Eleventh Day, Ex. Sess., March 24, 1975.)

On motion of Mr. Charnley, the committee amendments were adopted.

House Bill No. 437 was ordered engrossed and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2096, by Senators Lewis (Harry), Walgren, Donohue and McDermott:

Providing for study of administrative costs of school districts.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, Seventh Day, Ex. Sess., March 20, 1975.)

On motion of Mr. Bauer, the committee amendment was adopted.

Engrossed Senate Bill No. 2096 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2150, by Committee on Agriculture (Originally sponsored by Senators Jolly, Sellar, Day, Wilson and Benitz):

Changing certain laws relating to agriculture.

The bill was read the second time.

Mr. Newhouse moved adoption of the following amendments:

On page 7, section 3, line 25 of the engrossed bill after "number and" and before "percent" strike "fifty-one" and insert "sixty"

On page 13, section 8, line 7 of the engrossed bill after "number and" and before "percent" strike "fifty-one" and insert "sixty"

Representatives Newhouse and Kilbury spoke in favor of the amendments, and they were adopted.

Engrossed Substitute Senate Bill No. 2150 as amended by the House was passed to Committee on Rules for third reading.

**SUBSTITUTE HOUSE BILL NO. 342:**

The House resumed consideration of the bill on second reading.

Mr. Matthews moved adoption of the following amendment:

On page 3, line 7 following "vessels," insert a new subsection as follows:

"(6) Residential and commercial water heaters manufactured and tested to American National Standards Institute standards, and hydrostatically tested storage tanks physically connected with such water heaters, where water temperature and pressure are limited, respectively, to 205° and 150 pounds per square inch gauge or less by automatic thermostats, energy cut-off switches, and pressure relief devices required by such standards."

Mr. Matthews spoke in favor of the amendment, and Representatives Charette and Savage spoke against it.

Mr. Thompson demanded an electric roll call and the demand was sustained.

**ROLL CALL**

The Clerk called the roll on adoption of the amendment by Representative Matthews to Substitute House Bill No. 342, and the amendment was not adopted by the following vote: Yeas, 19; nays, 72; not voting, 7.

voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Kuehnle, Leckenby, Matthews, Newhouse, Polk, Schumaker, Tilly.

voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Deccio, Hayner, Lee, Nelson, Parker, Whiteside.

The Clerk read the following amendment by Representative Matthews:

On page 3, line 13 after "70.79.240" strike the language through line 14 and insert "and from the requirements of RCW 70.79.230 through ((70.79.340)) 70.79.330."

With the consent of the House, Mr. Matthews withdrew the amendment.

Substitute House Bill No. 342 was passed to Committee on Rules for third reading.

**THIRD READING**

**ENGROSSED HOUSE BILL NO. 578**, by Representatives Bauer, Brown, Bender, Fortson, Clemente, McKibbin and Seeberger:

Adding restriction on the distribution of state aid to school districts on basis of ratio of pupils per classroom teacher.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

**POINT OF INQUIRY**

Mr. Bauer yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Bauer, I am delighted with your information about why we raised classroom load—do you have any additional information as to where we rate as far as expenditures are concerned? How much money are we pumping in?"

Mr. Bauer: "I have here the current expenditures for people in 88 public elementary-secondary schools by the state in 1972-73. We are 27th in the nation—27th down for \$929 expenditure per pupil as opposed to \$1500 in New York on top. \$1500 compared to \$900, now this is for the total pupil support. The United States average is \$1000 and Washington is under the U.S. average for total dollar support."

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 578, and the bill passed the House by the following vote: Yeas, 79; nays, 16; not voting, 3.

voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo,

Haley, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Bond, Curtis, Douthwaite, Flanagan, Hansey, Hayner, Juelling, Kuehne, Leckenby, Matthews, May, Newhouse, Schumaker, Tilly.

Not voting: Representatives Adams, Deccio, Lee.

Engrossed House Bill No. 578, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 627, by Representatives McKibbin, Whiteside and Savage:**

Implementing law relating to certain student transfer within the common schools and state apportionment credit therefor.

The bill was read the third time and placed on final passage.

Mr. McKibbin spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 627, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Wilson.

Not voting: Representatives Adams, Deccio.

House Bill No. 627, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 665, by Representatives Charette and Conner:**

Permitting public auction of state material valued at \$10,000 or less.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 665, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Deccio.

Engrossed House Bill No. 665, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 675, by Representatives Shinpoch, Polk, Bagnariol, Flanagan and North:**

Regulating the receipt of unanticipated funds.

The bill was read the third time and placed on final passage.

Representatives Shinpoch and Polk spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 675, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hawkins, Williams.

Not voting: Representatives Adams, Deccio.

Engrossed House Bill No. 675, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 802, by Representatives Shinpoch, Polk, Thompson and Wojahn:

Providing uniformity in payment of travel expenses for most state officials and employees.

The bill was read the third time and placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 802, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Deccio.

Engrossed House Bill No. 802, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 970, by Committee on Ecology (Originally sponsored by Representative Douthwaite):

Regulating water rights.

The bill was read the third time and placed on final passage.

Mr. Luders spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 970, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Newhouse, Whiteside.

Not voting: Representatives Adams, Deccio, McKibbin.

Substitute House Bill No. 970, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE JOINT MEMORIAL NO. 13, by Representatives Lysen, Gaines, Clemente and Valle:**

Requesting the President and Congress terminate the airline mutual aid agreement.

The memorial was read the third time and placed on final passage.

Mr. Lysen spoke in favor of the memorial, and Mr. Curtis spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 13, and the memorial passed the House by the following vote: Yeas, 68; nays, 24; not voting, 6.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Blair, Bond, Brown, Curtis, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Haley, Haussler, Hayner, Jastad, Juelling, Kuehnle, Leckenby, Lee, Matthews, Peterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Adams, Deccio, Eikenberry, Newhouse, Paris, and Mr. Speaker.

House Joint Memorial No. 13, having received the constitutional majority, was declared passed.

#### MOTIONS

On motion of Mr. Charette, the balance of the bills remaining on today's calendar were ordered held for Monday's calendar.

On motion of Mr. Charette, the House adjourned until 11:00 a.m., Monday, March 31, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTEENTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Monday, March 31, 1975.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Charnley, Eng, Hanna, Knowles and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mary Greengo and John Raap. Prayer was offered by Reverend B. R. "Bud" Palmberg of Mercer Island Covenant Church.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGES FROM THE SENATE

March 28, 1975

Mr. Speaker:

The President has signed:

SENATE JOINT MEMORIAL NO. 108,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 28, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2226,  
ENGROSSED SENATE BILL NO. 2230,  
SENATE BILL NO. 2336,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 28, 1975

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 111,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 28, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2026 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE JOINT MEMORIAL NO. 108.

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2226, by Senators Francis, Woody and Clarke:

Requiring state to pay costs and fees of indigent appeals.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2230, by Senators Clarke, Jones and Morrison:

Enacting a new criminal code relating to crimes against property.

To Committee on Judiciary

SENATE BILL NO. 2336, by Senators Bottiger, Beck and Guess (by Transportation and Utilities Commission request):

Making changes in the laws relating to public service companies.

To Committee on Transportation and Utilities

SENATE CONCURRENT RESOLUTION NO. 111, by Senators Goltz, Murray and Morrison:

Designating April 20-26 as "Volunteer Week '75."

To Committee on State Government

#### REPORTS OF STANDING COMMITTEES

March 28, 1975

HOUSE BILL NO. 49, Prime Sponsor: Representative Adams, making changes in the law relating to civil commitment and suicide. Reported by Committee on Judiciary.

MAJORITY recommendation: That the amendments proposed by the Committee on Social and Health Services be adopted and the bill do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Newhouse.

To Committee on Rules for second reading.

March 28, 1975

HOUSE BILL NO. 247, Prime Sponsor: Representative Thompson, limiting period during which medical malpractice actions can be brought to six years. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hayner, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

March 27, 1975

HOUSE BILL NO. 327, Prime Sponsor: Representative Clemente, permitting public and school employees to credit accumulated sickness, disability or emergency leave as service to an employer. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Bender, Boldt, Ehlers, Eng, Fortson, Gaspard, Hendricks, Hurley (George), Warnke.

To Committee on Rules for second reading.

March 27, 1975

HOUSE BILL NO. 328, Prime Sponsor: Representative Ceccarelli, providing for regulation of form insurance policies. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Eikenberry, Lysen, McCormick, Pardini, Polk.

To Committee on Rules for second reading.

March 28, 1975

HOUSE BILL NO. 376, Prime Sponsor: Representative Erickson, limiting attorneys fees and court costs in contractual actions against school districts by certificated employees to successful litigants. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 15 after "court" strike "may" and insert "((may)) shall"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Patterson, Sherman.

To Committee on Rules for second reading.



March 25, 1975

HOUSE BILL NO. 487, Prime Sponsor: Representative Conner, changing the board of prison terms and paroles. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Bauer, Cochrane, Fischer, Fortson, Hanna, Jastad, May, Peterson.

To Committee on Rules for second reading.

March 27, 1975

HOUSE BILL NO. 494, Prime Sponsor: Representative Warnke, setting out standards for administration of medication to common school pupils and providing superintendent of public instruction recommend ratio of pupils to registered full-time school nurse. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Dunlap, Ehlers, Eng, Fortson, Gaspard, Haley, Hayner, Hendricks, Hurley (George), Warnke, Whiteside.

To Committee on Rules for second reading.

March 25, 1975

HOUSE BILL NO. 677, Prime Sponsor: Representative Valle, setting forth limitations on use of quarterly employed community college faculty. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Moreau, Vice Chairman; Charnley, Patterson, Peterson, Savage, Wojahn.

To Committee on Rules for second reading.

March 27, 1975

HOUSE BILL NO. 752, Prime Sponsor: Representative Clemente, reaffirming permissible expenses school districts may expend preliminary to finalizing of budgets. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Dunlap, Ehlers, Eng, Fortson, Haley, Hendricks, Hurley (George), Warnke, Whiteside.

To Committee on Rules for second reading.

March 28, 1975

HOUSE BILL NO. 796, Prime Sponsor: Representative Thompson, providing for transfer of rental deposit with change of landlords. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

March 28, 1975

HOUSE BILL NO. 845, Prime Sponsor: Representative Kilbury, relating to agriculture. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Agriculture.

March 28, 1975

HOUSE BILL NO. 1161, Prime Sponsor: Representative Bagnariol, relating to public welfare. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ways and Means - Appropriations.

March 27, 1975

HOUSE CONCURRENT RESOLUTION NO. 14, Prime Sponsor: Representative Eng, providing for plan to train teachers in bilingual instruction. Reported by Committee on Education.

**MAJORITY recommendation: Do pass with the following amendments:**

On page 1, immediately following line 5 insert a new paragraph as follows:

"WHEREAS, There are ten thousand ethnic minority students enrolled in the community colleges of Washington state; and"

On page 1, line 22 after "Education," insert "the State Board for Community College Education."

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Eng, Fortson, Haley, Hendricks, Hurley (George), Warnke, Whiteside.

To Committee on Rules for second reading.

March 25, 1975

**ENGROSSED SENATE BILL NO. 2227, Prime Sponsor: Senator Guess, authorizing acquisition of surplus Expo facilities for Walla Walla community college. Reported by Committee on Higher Education.**

**MAJORITY recommendation: Do pass with the following amendment:**

On page 1, beginning on line 19 of the engrossed bill, being line 3 of the Senate amendment, after "appropriation," strike "or as much thereof as is available"

Signed by Representatives Maxie, Chairwoman; Moreau, Vice Chairman; Bond, Charnley, Nelson, Patterson, Peterson, Savage.

To Committee on Ways and Means - Appropriations.

#### MOTION

On motion of Mr. Charette, the House advanced to the seventh order of business.

#### THIRD READING

**ENGROSSED HOUSE JOINT RESOLUTION NO. 27, by Representatives Savage, Conner and Hanna:**

Providing automatic carry-over of bills from one session to the next.

The resolution was read the third time and placed on final passage.

Representatives Savage, King and Hurley (George) spoke in favor of the resolution, and Representatives Newhouse, Flanagan and Brown spoke against it.

Mr. Newhouse spoke again in opposition to the resolution, and Mr. Pardini also spoke against it.

Representatives Hurley (George) and Savage spoke in favor of the resolution, and Mr. Curtis spoke against its adoption.

Mr. Luders demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of Engrossed House Joint Resolution No. 27, and the resolution was not adopted by the following vote: Yeas, 60; nays, 31; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Bond, Charnley, Eng, Haley, Hanna, Knowles, Wilson.

Engrossed House Joint Resolution No. 27, having failed to receive the constitutional majority, was declared lost.

**HOUSE BILL NO. 324, by Representatives Randall, Martinis, Ceccarelli, Chatalas, Paris, Kuehnle and Nelson:**

Exempting cargo containers from property taxation.

The bill was read the third time and placed on final passage.

Representatives Randall and Conner spoke in favor of the bill, and Mr. Moon spoke against it.

Mr. Randall spoke again in favor of passage of the bill.

Mr. Chatalas demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 324, and the bill passed the House by the following vote: Yeas, 61; nays, 31; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Berentson, Brown, Ceccarelli, Charette, Chatalas, Conner, Curtis, Deccio, Dunlap, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Kuehnle, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Shinpoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Whiteside, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Blair, Boldt, Chandler, Clemente, Cochrane, Douthwaite, Ehlers, Eikenberry, Erickson, Fortson, Gallagher, Gaspard, Hawkins, Kalich, Laughlin, Lee, Lysen, McKibbin, Moon, North, Perry, Seeberger, Sherman, Sommers, Tilly, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bond, Charnley, Eng, Hanna, Knowles, Wilson.

House Bill No. 324, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I would like the record to show that I wished to vote "No" on House Bill No. 324.

PEGGY JOAN MAXIE, 37th District.

ENGROSSED HOUSE BILL NO. 139, by Representatives Martinis, Bausch, Clemente, Kilbury, Matthews, Schumaker, Hurley (George), Moreau, Hansey, Whiteside and Bond:

Regulating the sales of valuable material from public lands.

The bill was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 139, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Charnley, Eng, Hanna, Knowles, Wilson.

Engrossed House Bill No. 139, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 211, by Committee on Commerce (Originally sponsored by Representatives Amen, Conner, Curtis, Knowles, Zimmerman, May, Becker, Boldt, Kilbury, Laughlin and Whiteside):

Entitling retail implement or car dealer to recover price of articles upon discontinuance of contract by wholesaler or retailer dealer.

The bill was read the third time and placed on final passage.

Representatives Warnke and Amen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 211, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Charnley, Eng, Hanna, Knowles, Seeberger, Tilly, Wilson.

Substitute House Bill No. 211, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 246**, by Committee on Judiciary (Originally sponsored by Representatives Thompson, Hayner, Adams, Eikenberry, Erickson, Curtis, Haley and Bond):

Requiring plaintiff in medical malpractice action to prove defendant failed to exercise standard of care of profession.

The bill was read the third time and placed on final passage.

Mr. Thompson spoke in favor of the bill, and Mr. Eikenberry spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 246, and the bill passed the House by the following vote: Yeas, 87; nays, 5; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Deccio, Eikenberry, Hansen, Peterson, Zimmerman.

Not voting: Representatives Bond, Charnley, Eng, Hanna, Knowles, Wilson.

Substitute House Bill No. 246, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 342**, by Committee on Labor (Originally sponsored by Representatives Savage, North and Gilleland - by Department of Labor and Industries request):

Revising laws relating to boiler inspections.

The bill was read the third time and placed on final passage.

Mr. Savage spoke in favor of the bill, and Mr. Matthews spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 342, and the bill passed the House by the following vote: Yeas, 69; nays, 22; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Matthews, Newhouse, Peterson, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Bond, Charnley, Eng, Hanna, Knowles, Smith R., Wilson.

Substitute House Bill No. 342, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 344**, by Representatives Savage, Thompson and North (by Department of Labor and Industries request):

Prescribing changes in industrial insurance procedures.

The bill was read the third time and placed on final passage.

Representatives Matthews and King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 344, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Bond, Charnley, Eng, Hanna, Knowles, Sommers, Wilson.

Engrossed House Bill No. 344, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 437**, by Representatives Charnley, Patterson, Newhouse and Douthwaite (by Department of Highways request):

Specifying types of signs permissible which are visible from highways.

The bill was read the third time and placed on final passage.

Mr. Douthwaite spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 437, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Hawkins.

Not voting: Representatives Bond, Charnley, Eng, Hanna, Knowles, Wilson.

Engrossed House Bill No. 437, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, the House advanced to the eighth order of business.

On motion of Mr. Thompson, HOUSE BILL NO. 460 was rereferred from Committee on Ways and Means - Appropriations to Committee on Parks and Recreation.

On motion of Mr. Thompson, HOUSE BILL NO. 134 was rereferred from Committee on State Government to Committee on Ways and Means - Appropriations.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Tuesday, April 1, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## NINETEENTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Tuesday, April 1, 1975.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hanna and Nelson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Laura Nugent and Eric Brooks. Prayer was offered by Reverend Frank Witt of the Bethany Methodist Church of Tacoma.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGES FROM THE GOVERNOR

March 31, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 31, 1975, Governor Evans approved the following House Bill, entitled:

HOUSE BILL NO. 279: Providing for support of adoption of hard to place children.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

March 31, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

On this date I have approved SUBSTITUTE HOUSE BILL NO. 395, entitled:  
"AN ACT Relating to anatomical gifts."

I wish to bring to your attention, however, an apparent inconsistency in the language of the act which might frustrate its intent unless corrected.

Section 1 allows the making of an anatomical gift through the Department of Motor Vehicles in one of three ways:

1. On a driver's license;
2. On a statement given with the driver's license;
3. On a statement given in person with an application for a driver's license.

Section 2(3), however, and the amendatory language therein speaks only of a statement of a gift provided on the driver's license. The question is thereby raised as to the effectiveness of a gift purported to be made either on the statement provided with the license or the statement provided in person with the application for a license.

The act will not take effect until some time in mid-June. I would urge the Legislature to consider this problem and perhaps try to remedy the situation with amendatory action prior to adjournment.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

April 1, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on March 31, 1975, Governor Evans approved the following House Bill, entitled:

HOUSE BILL NO. 123: Imposing a penalty assessment on game law violations.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

MESSAGES FROM THE SENATE

March 31, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2026,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 31, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2403,

ENGROSSED SENATE BILL NO. 2607,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 31, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2268, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 2026.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2403, by Senators Jones, Francis and Wanamaker:

Providing arrest procedures for specified traffic offenses.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2607, by Senators Walgren and Guess (by Department of Highways request):

Revising priorities for state highway improvements.

To Committee on Transportation and Utilities

REPORTS OF STANDING COMMITTEES

March 26, 1975

HOUSE BILL NO. 228, Prime Sponsor: Representative Hendricks, enacting the Washington formulary act. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Becker, Cochrane, Eng, Greengo, Haley, Hendricks, May, Paris, Peterson, Tilly, Whiteside.

Rereferred to Committee on Ways and Means - Appropriations.

March 28, 1975

HOUSE BILL NO. 409, Prime Sponsor: Representative Barnes, classifying electrician licenses as general and specialty. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Gaines, Greengo, O'Brien, Williams, Wojahn.

MINORITY recommendation: Do not pass. Signed by Representative Dunlap.

To Committee on Rules for second reading.



March 31, 1975

HOUSE BILL NO. 436, Prime Sponsor: Representative Bausch, prescribing changes in unemployment compensation laws. Reported by Committee on Labor.

**MAJORITY recommendation: Do pass with the following amendments:**

On page 6, beginning on line 10 strike all of section 6 and substitute the following:

"Sec. 6. Section 11, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.020 are each amended to read as follows:

(1) An experience rating account shall be established and maintained for each employer based on existing records of the employment security department and shall be effective beginning with July 1, 1967. Benefits paid to any eligible individuals for benefit years beginning subsequent to June 30, 1967, shall be charged to the experience rating accounts of each of his employers during his base year in the same ratio that the wages paid by each employer to the individual during the base year bear to the wages paid by all employers to that individual during that base year (~~except that~~).

(2) The legislature finds that certain benefit payments should not be charged to the experience rating accounts of employers whose employees are not covered under chapter 50.44 RCW, as follows:

(a) Benefits paid to any individuals later determined to be ineligible shall not be charged to the experience rating account of any contribution paying employer.

(b) Benefits paid to an individual under the provisions of RCW 50.12.050 shall not be charged to the account of any contribution paying employer if the wage credits earned in this state by the individual during his base year are less than the minimum amount necessary to qualify the individual for unemployment benefits.

(c) Benefits paid to an individual filing under the provisions of chapter 50.06 RCW shall not be charged to the experience rating account of any contribution paying employer.

**NEW SECTION. Sec. 7.** This chapter is enacted for the purpose of providing the protection of the unemployment compensation system to workers who have suffered a temporary total disability compensable under industrial insurance and is a recognition by this legislature of the economic hardship confronting those workers who have not been promptly reemployed after a prolonged period of temporary total disability.

**NEW SECTION. Sec. 8.** Only individuals who have suffered a temporary total disability and have received compensation under the industrial insurance laws of this state, any other state or the United States for a period of not less than thirteen consecutive calendar weeks by reason of such temporary total disability shall be allowed the benefits of this chapter.

**NEW SECTION. Sec. 9.** An application for initial determination made pursuant to this chapter, to be considered timely, must be filed in writing with the employment security department within twenty-six weeks following the week in which the period of temporary total disability commenced. Notice from the department of labor and industries shall satisfy this requirement. The records of the agency supervising the award of compensation shall be conclusive evidence of the fact of temporary disability and the beginning date of such disability. The employment security department shall process and issue an initial determination of entitlement or nonentitlement as the case may be.

For the purpose of this chapter, a special base year is established for an individual consisting of the first four of the last five completed calendar quarters immediately prior to the first day of the calendar week in which the individual's temporary total disability commenced, and a special individual benefit year is established consisting of the entire period of disability and a fifty-two consecutive week period commencing with the first day of the calendar week immediately following the week or part thereof with respect to which the individual received his final temporary total disability compensation under the applicable industrial insurance laws except that no special benefit year shall have a duration in excess of three hundred and twelve calendar weeks: *Provided, however,* That such special benefit year will not be established unless the criteria contained in RCW 50.04.030 has been met, except that an individual meeting the disability and filing requirements of this chapter and who has an unexpired benefit year established which would overlap the special benefit year provided by this chapter, notwithstanding the provisions in RCW 50.04.030 relating to the establishment of a subsequent benefit year and RCW 50.40.010 relating to waiver of rights, may elect to establish a special benefit year under this chapter: *Provided, further,* That the unexpired benefit year shall be terminated with the beginning of the special benefit year if the individual elects to establish such special benefit year.

**NEW SECTION. Sec. 10.** The individual's weekly benefit amount and maximum amount payable during the special benefit year shall be governed by the provision contained in RCW 50.20.120. The individual's basic and continuing right to benefits shall be governed by the general laws and regulations relating to the payment of unemployment compensation benefits to the extent that they are not in conflict with the provisions of this chapter.

**NEW SECTION. Sec. 11.** The fact that wages, hours or weeks worked during the special base year may have been used in the computation of a prior valid claim for unemployment compensation shall not affect a claim for benefits made pursuant to the provisions of this chapter; however, wages, hours and weeks worked used in computing entitlement on a claim filed pursuant to this chapter shall not be available or used for establishing entitlement or amount of benefits in any succeeding benefit year.

**NEW SECTION. Sec. 12.** This chapter shall be available only to individuals who suffer a temporary total disability, compensable by an industrial insurance program, after the effective date of this chapter.

**NEW SECTION.** Sec. 13. Should any part of this chapter be declared unconstitutional by the final decision of any court or declared out of conformity by the United States secretary of labor, the commissioner shall immediately discontinue the payment of benefits based on this chapter, declare it inoperative and report that fact to the governor and the legislature.

**NEW SECTION.** Sec. 14. Sections 7 through 13 of this 1975 act shall constitute a new chapter in Title 50 RCW and shall be codified as chapter 50.06 RCW."

Remember the remaining sections consecutively.

In line 7 of the title after "50.20.190;" and before "amending" insert "amending section 11, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.020;"

In line 11 of the title after "RCW;" and before "adding" insert "adding a new chapter to Title 50 RCW to be codified as chapter 50.06 RCW;"

Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, Freeman, Gilleland, Haley, King, Matthews, May, Parker.

To Committee on Rules for second reading.

March 31, 1975

**HOUSE BILL NO. 487,** Prime Sponsor: Representative Conner, changing the board of prison terms and paroles. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Judiciary.

March 28, 1975

**HOUSE BILL NO. 490,** Prime Sponsor: Representative Gaines, amending law on liability of landowners where recreational. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 11 after "channels and" strike "rural" and insert "(rural)"

On page 1, line 14 after "includes" insert ", but is not limited to."

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Sherman.

To Committee on Rules for second reading.

March 24, 1975

**HOUSE BILL NO. 647,** Prime Sponsor: Representative Wojahn, requiring mechanical contractors to be certified by the state. Reported by Committee on Commerce.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Gaines, O'Brien, Williams, Wojahn.

To Committee on Rules for second reading.

March 28, 1975

**HOUSE BILL NO. 659,** Prime Sponsor: Representative Newhouse, prescribing changes to the law against discrimination. Reported by Committee on Judiciary.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Eikenberry, Gaspard, Hayner, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

March 31, 1975

**HOUSE BILL NO. 720,** Prime Sponsor: Representative Moreau, authorizing state colleges of education to offer degrees through master's degree subject to review and recommendations by the legislature. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Ways and Means - Appropriations.

March 24, 1975

**HOUSE BILL NO. 774,** Prime Sponsor: Representative Warnke, regulating and licensing massage businesses. Reported by Committee on Commerce.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 12 after "massage" strike "therapist" and insert "practitioner"

On page 1, line 22 after "massage" strike "therapist" and insert "practitioner"

On page 2, line 27 add a new section to read as follows:

"NEW SECTION. Sec. 7. The director is authorized to promulgate rules and regulations in accordance with 34.04 RCW to carry out the provisions of this act relating to the regulations of massage businesses in this state."

Renumber the remaining sections consecutively.

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Dunlap, Gaines, Greengo, O'Brien, Wojahn.

To Committee on Rules for second reading.

March 31, 1975

ENGROSSED SENATE BILL NO. 2690, Prime Sponsor: Senator Jolly, authorizing three-quarter milk containers. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 9 after "units" strike the remainder of the bill, including the Senate committee amendment, and insert "~~((of one gill, one-half liquid pint, ten fluid ounces, one liquid pint, one liquid quart, one-half gallon, one gallon, one and one-half gallon, two gallons, two and one-half gallons or multiples of one gallon. PROVIDED. That the director may by regulation provide for other sizes under one quart))~~ as provided by the director of the department of agriculture by regulation pursuant to the provisions of chapter 34.04 RCW."

Signed by Representatives Kilbury, Chairman; Amen, Boldt, Deccio, Flanagan, Haussler, Laughlin, Tilly.

MINORITY recommendation: Do not pass. Signed by Representatives Hansen, Hansey.

To Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 561, by Representatives Bagnariol, Polk and McCormick:

Permitting wine and beer in specified amounts to be brought into the state from foreign countries without duty.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifth Day, Ex. Sess., March 18, 1975.)

#### MOTION

On motion of Mr. Warnke, further consideration of House Bill No. 561 on second reading was deferred, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 40, by Representatives Eng, Adams, Parker, Ceccarelli and Maxie (by request of Committee on Social and Health Services of the 43rd Legislature):

Providing for health maintenance organizations.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 40 was substituted for House Bill No. 40 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 40 was read the second time.

#### MOTION

On motion of Mr. Charette, further consideration of Substitute House Bill No. 40 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 308.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 44, by Committee on Judiciary (Originally sponsored by Representatives Parker, Savage, Adams, Chatalas and Tilly - by Committee on Social and Health Services request):

Relating to child abuse.

The bill was read the second time. (For previous action, see Journal, Thirty-sixth and Thirty-seventh Days, February 17th and 18th, 1975.)

Engrossed Substitute House Bill No. 44 was referred to Committee on Rules for third reading.

HOUSE BILL NO. 47, by Representative North:

Broadening definition of urban areas eligible for urban arterial funds.

The bill was read the second time.

On motion of Mr. Hansen, Substitute House Bill No. 47 was substituted for House Bill No. 47, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 47 was read the second time.

#### MOTION

On motion of Mr. Thompson, further consideration of Substitute House Bill No. 47 was deferred, and the bill was ordered placed on the second reading calendar following Substitute House Bill No. 47.

HOUSE BILL NO. 58, by Representatives Ehlers, Gallagher and Smith (Rick):

Requiring emergency exits for mobile homes.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 58 was substituted for House Bill No. 58, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 58 was read the second time.

#### MOTION

On motion of Mr. Thompson, further action on Substitute House Bill No. 58 was deferred, and the bill was ordered placed on the second reading calendar following Substitute House Bill No. 47.

HOUSE BILL NO. 301, by Representatives Hanna and Adams (by Department of Social and Health Services request):

Authorizing additional leaves of absence for inmates of penal institutions.

The bill was read the second time.

#### MOTION

On motion of Mr. Thompson, further action on House Bill No. 301 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 308, by Representatives Parker, Newhouse, Fischer, Paris, Adams, Tilly, Fortson, Eng, Pardini, Cochran, Conner, Bagnariol, Chatalas, May and Gallagher:

Prescribing educational and professional requirements for the profession of optometry.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 308 was substituted for House Bill No. 308, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 308 was read the second time.

On motion of Mr. Parker, the following amendments by Representatives Parker and Newhouse were adopted:

On page 10, line 35 after "physician" strike "or dispensing optician"

On page 1, line 11 of the title strike "section 5" and insert "section 6"

Substitute House Bill No. 308 was ordered engrossed and passed to Committee on Rules for third reading.

**SUBSTITUTE HOUSE BILL NO. 40:**

The House resumed consideration of Substitute House Bill No. 40 on second reading.

Mr. Eikenberry moved adoption of the following amendment:

On page 1, section 2, line 11 after "2." strike down to and including the period on line 16.

Mr. Eikenberry spoke in favor of the amendment, and Mr. Eng spoke against it.

Mr. Eikenberry spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Eng:

On page 16, line 4 insert a new subsection to read as follows:

"(3) Paragraphs 1 and 2 of this section shall impose no responsibilities or duties upon state government or any political subdivision thereof or any other employer, either public or private, to provide health maintenance organization coverage when no health maintenance organization exists for the purpose of providing health care services in the geographic areas in which the employees or members reside."

Renumber the remaining sections consecutively.

Representatives Kuehnle and Eng spoke in favor of the amendment, and it was adopted.

Mr. Randall moved adoption of the following amendment:

On page 1, lines 23 and 30 after "group" insert "and individual"

Representatives Randall and Eng spoke in favor of the amendment, and it was adopted.

On motion of Mr. Randall, the following amendments were adopted:

On page 2, line 8 after "basis" and before the comma insert "or on a prepaid Individual Practice Plan"

On page 3, beginning on line 26 after "professionals" strike ", including individual practice systems"

On page 3, line 28 strike "physicians" and insert "health professionals"

On page 3, line 33 insert a new subsection as follows:

"(14) 'Individual practice health care plan' means an association of health professionals in private practice who associate for the purpose of providing prepaid comprehensive health care services on a fee-for-service or capitation basis."

On page 4, line 5 after "basis" insert "or on a prepaid Individual Practice Plan"

Mr. Randall moved adoption of the following amendment:

On page 15, line 13 strike subsection (4) of section 18.

Mr. Randall spoke in favor of the amendment, and Representatives Eng and Parker spoke against it.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Newhouse.

Mr. Newhouse: "Your comments intrigue me, Representative Parker. You say that the Insurance Commissioner would have regulatory powers and yet in this section that he has exempted, the HMO's are exempted from any regulations by the insurance division. I can't quite reconcile those two statements."

Mr. Parker: "Well, Representative Newhouse, that would be under the health care contractor's portion of it. What it says really is that they are going to be licensed under the HMO act rather than under the health care contractor provision."

Mr. Randall spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Randall to page 15 of Substitute House Bill No. 40, and the amendment was not adopted by the following vote: Yeas, 36; nays, 59; not voting, 3.

Voting yea: Representatives Amen, Berentson, Brown, Chandler, Charnley, Curtis, Douthwaite, Dunlap, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gilleland, Haley, Hansen, Hansey, Hayner, Jueling, Kuehnle, Leckenby, Luders, Matthews, Newhouse, Pardini, Patterson, Polk, Randall, Schumaker, Sherman, Shipoch, Smith R., Warnke, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Deccio, Ehlers, Eng, Fischer, Fortson, Gallagher, Gaspard, Greengo, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Peterson, Savage, Seeberger, Smith E. P., Sommers, Thompson, Tilly, Valle, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Hanna, Hendricks, Nelson.

Mr. Pardini moved adoption of the following amendment:

On page 15, line 18 strike all of section 19 and renumber the remaining sections consecutively.

Representatives Pardini and Haley spoke in favor of the amendment, and Mr. Parker spoke against it.

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Amen.

Mr. Amen: "Representative Pardini, I don't know much about this legislation, and I wonder whether you would explain a little more about what would happen in areas such as eastern Washington where the employees are maybe in a widely dispersed area, if the state has mandated that they go on something like that, if there aren't very many people within one area. How would they get the benefit from this?"

Mr. Pardini: "Representative Amen, understand that I am not a member of the Social and Health Services Committee nor the subcommittee that has worked on this. My understanding is that as a result of Representative Kuehnle and Representative Eng's amendment to this same section, that if the health maintenance organization is not within the geographic area then you don't have to worry about it. In other words, if there is a health maintenance organization in the Spokane area and that's the closest one to Ritzville, which would be 60 miles away, I would suspect that probably the decision would be made that that 60 miles does not constitute being within the geographic area. If the decision were made that it were in the geographic area, your employers, with this section in the bill, would have to offer that as an option to their employees. They might, if it were within the geographic area, and I don't know what the geographic area is—60 miles, 100 miles—how far do you go to a doctor? I guess that's one of the questions that I am raising."

Representatives Pardini and Curtis spoke in favor of the amendment, and Representatives Eng and Douthwaite spoke against it.

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Pardini, Mr. Douthwaite in his remarks inferred that the employees could sue the health maintenance organization. In the action that was taken in turning down an amendment earlier, we have taken out the supervision by the Insurance Commissioner. Would you read this section, subsection (4), in section 19 as allowing employees to sue the health maintenance organization?"

Mr. Pardini: "Mr. Newhouse, my interpretation of subsection (4) is not the same as Representative Douthwaite's. I believe Representative Douthwaite indicated that any employer could bring suit against the health maintenance organization and I believe that subsection (4) says that they can bring suit against the employer for failing to offer them the option. I do believe however that subsection (4) on page 15, if that is what Representative Douthwaite was referring to—the section that Representative Randall tried to strike, which does not bring them in under the Insurance Commissioner—might leave a great deal of doubt as to whether suit could be brought against a health maintenance organization because they are not going to be registered the same as health care contractors—the health insurance. That section of the Code provides where suit can be brought, so I think that maybe Representative Douthwaite has brought to light a very grievous error in this bill."

Representatives Eng, Douthwaite, Parker and Greengo spoke against adoption of the amendment.

## POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Would you define a little bit more what you would consider a geographic area that would be served by an HMO—what you would call distances that were alluded to—as to how many miles that would be?"

Mr. Eng: "I think that would be resolved in the RCW's in relation to the Insurance Commissioner as to the geographic area."

Mr. Zimmerman: "Representative Eng, I understand that it has been taken out of the Insurance Commissioner's hands and so it would not be resolved that way."

Mr. Eng: "That's not true. The whole bill specifically states that the Insurance Commissioner shall be the regulator of this act."

Mr. Zimmerman: "I'm still concerned as to our having the intention stated here on the floor as to the geographic distance, because this bill revolves around that matter."

Mr. Eng: "The intent is that if HMO's are within an area that a person can get to within a reasonable time to get quality health care that this be considered, but we have no intention here of putting any awkward regulations in the way of getting health care."

Mr. Zimmerman: "I'm concerned about the geographical size. In other words, are Cosmopolis and Aberdeen in the same geographical area?"

Mr. Eng: "I don't know that area at all, so I can't answer that."

Mr. Zimmerman: "I know this seems like rather a ridiculous question, but the distance and the involment of that geographical thing is really what we are talking about in terms of what you mandate or not mandate. Representative Parker, maybe you could respond to that?"

Mr. Parker: "I just talked to our attorney to make sure that I was correct on this point. In the issuance of the certificates to the HMO, the geographic region of service would be outlined. Now what would happen in the process, is that when you made application for certification as an HMO, you would outline what you felt was your geographic area. Now the Insurance Commissioner, in issuing that certificate through his rules and regulations power, could establish the procedure whereby he was going to determine whether or not he should issue the certificate for that geographic area and I think you would have to show in that case that you have the ability to perform services in the geographical area that you had applied for. I don't think that this would create a problem, Representative Zimmerman. I am sure it would be very well defined by the Insurance Commissioner."

Mr. Charette demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to Substitute House Bill No. 40, and the amendment was not adopted by the following vote: Yeas, 30; nays, 65; not voting, 3.

Voting yea: Representatives Amen, Berentson, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Haley, Hansey, Hayner, Hurley M., Jueling, Kuehnle, Leckenby, Matthews, Newhouse, Pardini, Paris, Patterson, Polk, Randall, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Peterson, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Hanna, Hendricks, Nelson.

Substitute House Bill No. 40 was ordered engrossed and passed to Committee on Rules for third reading.

#### SUBSTITUTE HOUSE BILL NO. 47:

The House resumed consideration of Substitute House Bill No. 47 on second reading.

Mr. Brown moved adoption of the following amendment by Representatives Brown and Douthwaite:

On page 1, line 11 after "law" strike down to and including "management" on line 14.

Representatives Brown and Douthwaite spoke in favor of the amendment, and Representatives North and Berentson spoke against it.

#### POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Brown, I was wondering if you might have any estimate of the amount of additional dollars out of the gas tax that would be required when we drop from cities of 15,000 down to 5,000? My second question is: I understand that we do have legislation now which changes the formula to reduce the share of the gas tax going to counties and that if we did not pass this particular piece of legislation that there would be a better opportunity to keep the counties' share up to the present ratio under the formula."

Mr. Brown: "I'm not totally sure on this and I don't think anybody could give a real accurate figure on what this would cost to change this definition of 'urban.' Simply if we take

the ratio though—if we assume that they request as many projects as the present cities have, then we would in essence be increasing the demand on the fund by somewhere in the neighborhood of 20% to 25%. The fund already has a backlog so that we are just that much further in the hole. As far as the ratio of the gas tax to counties, it is my understanding that the answer to that would be yes."

Representatives Hansen and Berentson spoke in opposition to the amendment, and it was not adopted.

Mr. Charnley moved adoption of the following amendment:

On page 2, section 2, line 3 following "arterials." strike all underlined language through line 5.

Representatives Charnley and North spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 47 was ordered engrossed and passed to Committee on Rules for third reading.

#### SUBSTITUTE HOUSE BILL NO. 58:

The House resumed consideration of Substitute House Bill No. 58 on second reading.

Mr. Zimmerman moved adoption of the following amendment:

On page 1, line 10 after "emergency exit" insert "or an egress window"

Mr. Zimmerman spoke in favor of the amendment, and Mr. Warnke spoke against it.

Mr. Zimmerman spoke again in favor of the amendment.

The amendment was not adopted.

The Clerk read the following amendment by Mr. Zimmerman:

On page 1, line 13 after "clear opening" insert "of not less than twenty-two inches in least dimension and five square feet in area"

With the consent of the House, Mr. Zimmerman withdrew the amendment.

Mr. Zimmerman moved adoption of the following amendment:

On page 1, line 17 after "on the inside" strike "and outside"

Mr. Zimmerman spoke in favor of the amendment, and Mr. Curtis spoke against it.

The amendment was not adopted.

Substitute House Bill No. 58 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 363, by Representatives King, Gallagher, Wojahn, Parker, Perry, May, Clemente and Moon:

Adding certain employer lock-out to exceptions of provision withdrawing benefits due to work stoppage.

The bill was read the second time.

On motion of Mr. Savage, Substitute House Bill No. 363 was substituted for House Bill No. 363, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 363 was read the second time and passed to Committee on Rules for third reading.

#### MOTIONS

On motion of Mr. Thompson, consideration of all bills remaining on today's calendar was deferred, and the bills were ordered placed on tomorrow's calendar.

On motion of Mr. Thompson, the House adjourned until 10:00 a.m., Wednesday, April 2, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## TWENTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 2, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Deccio, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kristy VanBrunt and Dave Arbaugh. Prayer was offered by Father William Treacy of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House Miss Cheryl Janecky and her father, Dr. Clayton Janecky, and requested Representatives Zimmerman, Curtis and Smith (Edward) to escort them to the rostrum.

The Speaker (Mr. O'Brien presiding) introduced the guests to the House, and Dr. Janecky addressed the House briefly.

## RESOLUTION

HOUSE RESOLUTION NO. 75-25, by Representatives Erickson, O'Brien, Zimmerman, Randall, Lysen, Bausch, Moreau, Fischer, Smith (Edward) and Kuehnle:

WHEREAS, 1976 is our Nation's 200th birthday and has been designated the year of our Bicentennial Celebration in these United States of America; and

WHEREAS, We, the citizens of the State of Washington, proud of our role in America's history, wish to actively participate in the celebration; and

WHEREAS, The City of Philadelphia, Pennsylvania, the seat of America's history and site of the Constitutional Convention, will be the center of Bicentennial festivities including the assemblage of all the great historic sailing vessels in July of 1976; and

WHEREAS, The Brigantine sailing schooners were used in the delivery of arms and ammunition during the American Revolution, were instrumental in coastal trade and in bridging the distance between our far flung colonies, and in uniting our people in our early struggles against the vast wilderness that is our heritage; and

WHEREAS, The M. S. Brigantine Explorer is an outstanding example of Washington State's interest in maritime history, has been entirely restored by private funding, morally supported and physically made possible by individual citizens and is supported for participation in the Bicentennial flotilla of historic sailing ships by the Olympia Maritime Branch of the State Capitol Museum; and

WHEREAS, The M. S. Brigantine Explorer was built in 1904 and served the citizens of the United States and the State of Washington by conveying surveyors and charters of Puget Sound and of coastal waters extending to Alaska, and by serving during both World War I and World War II; and

WHEREAS, The Explorer has been the center of many of Washington's cultural and educational events such as the Pacific Northwest Artists Annual Festival, the Seattle Seafair, and the Poulsbo Viking Fest; serving as the featured ship at the dedication of Seattle's Washington Street Waterfront Park in 1973 and the first Maritime Day in the Port of Olympia in 1974. The Explorer was enrolled as an off campus training program for Antioch College and has been used as a training project for students of Evergreen State College; and

WHEREAS, The Explorer represents a most unusual historical restoration, linking the nation's beginnings with today; the Explorer, while presenting a "turn of the Century" image will be a functional sailing vessel proudly carrying participating Washington State citizens to

the other great seaports along our nation's coastline and ultimately to the Bicentennial Celebration in Philadelphia;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, that the M. S. Brigantine Explorer be hereby officially authorized to represent the citizens of the State of Washington and to fly our state's flag amidst the great sailing ships from our maritime past, during the Bicentennial celebrations of the United States of America; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the M. S. Brigantine Explorer to be displayed thereon.

Ms. Erickson moved adoption of the resolution and spoke in favor of it.

On motion of Mr. Conner, the names of all the House members were added as sponsors of the resolution.

House Resolution No. 75-25 was adopted.

The Speaker (Mr. O'Brien presiding) requested the committee to escort the guests from the House Chamber.

#### POINT OF PERSONAL PRIVILEGE

Mr. Chandler: "Mr. Speaker, ladies and gentlemen of the House: There was a newspaper article written over the weekend in which I was quoted and there has been a lot of talk about that ever since. The writer of that article quoted me accurately and it is not my purpose to disagree with what he said. In fact I want to stand behind what I said; I do believe that money is spent to influence government and I believe that this has created or contributed to a lack of confidence in our government. I also believe that that endangers the very democratic system in which I so deeply believe.

Yesterday, Walt Knowles, a man I respect very much, said to me that in making the statement I did that the impression was given that I was saying that he and others had been influenced by campaign contributions. I think he is right; that was the impression that was given. I have no right to say that and I apologize.

There is only person in here who I can say has been influenced by campaign contributions, whose political ambition and the belief that support from special interests will be important in the future, has allowed those factors to become an influence in decision-making, and that person is me. I would like to contribute to changing the system so that will no longer be the case."

#### MESSAGES FROM THE SENATE

April 1, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2268,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 1, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2765,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 31, 1975

Mr. Speaker:

The Senate adheres to its position and refuses to concur in the House amendments to SENATE BILL NO. 2079, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Gaspard, the House refused to recede from its amendments to Senate Bill No. 2079, and asked for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) appointed Representatives Hansen, Conner and Blair to act on the Conference Committee to Senate Bill No. 2079.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2765, by Committee on Ways and Means (Originally sponsored by Senator Mardesich):

Creating the Washington state retirement system.

To Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

March 31, 1975

HOUSE BILL NO. 396, Prime Sponsor: Representative Bausch, establishing a wage claim trust fund for payment of valid wage claims. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, King, Parker.

MINORITY recommendation: Do not pass. Signed by Representatives Freeman, Gilleland, Haley, Matthews.

To Committee on Rules for second reading.

March 31, 1975

HOUSE BILL NO. 722, Prime Sponsor: Representative King, making changes in unemployment compensation. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, King, Parker.

MINORITY recommendation: Do not pass. Signed by Representatives Freeman, Gilleland, Matthews.

To Committee on Rules for second reading.

April 1, 1975

ENGROSSED SENATE BILL NO. 2242, Prime Sponsor: Senator Henry, changing membership of Columbia River Gorge Commission, defining its duties, and describing area of the commission's jurisdiction. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 11 after "involvement of" strike "a consortium of"

On page 8, line 15 after "14; the" strike "southern" and insert "northern"

On page 8, line 20 after "half and the" strike "northeastern" and insert "northwestern"

Signed by Representatives Valle, Vice Chairwoman; Bauer, Becker, Chandler, Charnley, Douthwaite, Flanagan, Gallagher, Hansen, Wilson, Zimmerman.

To Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

REPORTS OF STANDING COMMITTEES

March 31, 1975

HOUSE BILL NO. 209, Prime Sponsor: Representative Martinis, authorizing signs on school bus stop shelters. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 28 strike lines 28 through 30 and insert:

"Only signs of type 1, 2 and 3 shall be erected or maintained within view of the scenic system. Signs of type 6 may be erected or maintained within view of the scenic system and the federal aid primary system."

Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Ceccarelli, Chandler, Clemente, Gaines, Gallagher, Gilleland, Hansen, Hayner, Laughlin, Leckenby, Lee, Lysen, Martinis, McCormick, Schumaker, Seeberger, Wilson.

To Committee on Rules for second reading.

April 1, 1975

HOUSE BILL NO. 460, Prime Sponsor: Representative Hurley (Margaret), amending laws relating to snowmobiles. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Hurley (Margaret), Chairwoman; Gaines, Vice Chairman; Lee, North, Paris, Peterson, Randall, Smith (Edward).

Rereferred to Committee on Ways and Means - Appropriations.

March 31, 1975

HOUSE BILL NO. 464, Prime Sponsor: Representative Conner, authorizing the aeronautics commission to provide assistance to certain Indian tribes. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 29 after "available" strike the underlined language down through "thereon" on line 31.

Signed by Representatives Perry, Chairman; Bender, Berentson, Ceccarelli, Chandler, Charnley, Clemente, Douthwaite, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Laughlin, Leckenby, McCormick, Patterson, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

March 31, 1975

HOUSE BILL NO. 664, Prime Sponsor: Representative Bauer, establishing minimum thermal insulation standards. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Bender, Berentson, Ceccarelli, Chandler, Charnley, Clemente, Douthwaite, Gaines, Gallagher, Gilleland, Hansen, Hayner, Laughlin, Leckenby, Lysen, Martinis, McCormick, Patterson, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

April 1, 1975

HOUSE BILL NO. 988, Prime Sponsor: Representative Thompson, providing for presidential primaries. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass, and that the amendment proposed by the Committee on Elections be adopted. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Boldt, Charette, Chatalas, Gaspard, Luders, McKibbin, Smith (Edward), Smith (Rick), Thompson, Valle, Warnke.

To Committee on Rules for second reading.

March 31, 1975

HOUSE BILL NO. 997, Prime Sponsor: Representative Warnke, prescribing changes in provisions regulating employment agencies. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 8, line 36 after "domestic" strike the comma and insert "or"

On page 9, beginning on line 1 with "or untrained" strike all the material down to and including "worker," on line 2

On page 12, beginning on line 23 strike all of section 15 and insert a new section to read as follows:

"NEW SECTION. Sec. 15. The effective date of this 1975 amendatory act shall be January 1, 1976."

On page 1, line 17 of the title after "RCW; and" strike the remainder of the title and insert "providing an effective date."

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Dunlap, Greengo, Kuehnle.

To Committee on Rules for second reading.

March 31, 1975

SENATE BILL NO. 2106, Prime Sponsor: Senator Walgren, requiring life-cycle cost analysis for major facilities. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 6 after "means" strike "revision to a major facility" and insert "additions, alterations, or repairs within any twelve month period which exceed fifty percent of the value of a major facility and"

Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Ceccarelli, Chandler, Charnley, Clemente, Douthwaite, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Laughlin, Leckenby, Lee, Lysen, Martinis, McCormick, Patterson, Schumaker, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

The Speaker assumed the Chair.

MOTION

On motion of Mr. Charette, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 467, by Representatives McKibbin, King, Seeberger, Brown, Bauer, Chandler, Moreau and Hawkins:

Regulating use of candidates' picture in political advertising.

The bill was read the third time and placed on final passage.

Representatives McKibbin, Seeberger, King and Matthews spoke in favor of the bill, and Representatives Hurley (George), Patterson and Curtis spoke against it.

Mr. Pardini demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 467, and the bill passed the House by the following vote: Yeas, 64; nays, 29; not voting, 5.

Voting yea: Representatives Adams, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Gaines, Gallagher, Gaspard, Hanna, Hansey, Hawkins, Hurley M., Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Paris, Parker, Perry, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Chandler, Curtis, Fischer, Flanagan, Fortson, Freeman, Gilleland, Greengo, Haley, Hansen, Haussler, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kuehnle, Nelson, North, Pardini, Patterson, Peterson, Polk, Randall, Schumaker, Wilson.

Not voting: Representatives Bagnariol, Chatalas, Conner, Deccio, Shinpoch.

Engrossed House Bill No. 467, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 591, by Committee on Commerce (Originally sponsored by Representatives O'Brien, Warnke, Newhouse, Bausch and Ceccarelli):

Authorizing state funding for international trade fairs.

The bill was read the third time and placed on final passage.

Representatives Warnke and O'Brien spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 591, and the bill passed the House by the following vote: Yeas, 82; nays, 12; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Curtis, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman.

Voting nay: Representatives Cochrane, Ehlers, Erickson, Hawkins, Juelling, Lee, Lysen, Moon, Nelson, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Chatalas, Conner, Deccio, McKibbin.

Engrossed Substitute House Bill No. 591, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 595**, by Representatives Gaspard, Pardini, Ceccarelli and Moon:

Prohibiting certain practices by camping clubs and prescribing penalties.

The bill was read the third time and placed on final passage.

Representatives Warnke and Gaspard spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 595, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Ehlers, Sherman.

Not voting: Representative Deccio.

Engrossed House Bill No. 595, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 733**, by Representatives Chatalas, Brown and Kalich:

Authorizing solid waste collection and processing by cities and towns.

The bill was read the third time and placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 733, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Kuehnle.

Not voting: Representative Deccio.

Engrossed House Bill No. 733, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SENATE BILL NO. 2203**, by Senators Peterson, Rasmussen and Lewis (Harry):

Requiring revocation of hunting license on conviction for certain violations against the game code.

The bill was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2203, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Deccio.

Engrossed Senate Bill No. 2203, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2021, as amended by the House, by Senators Fleming, Jolly, Talley, Lewis (Bob), Murray, Ridder, Beck and Sellar (by request of Committee on Local Government of the 43rd Legislature):

Allowing cities and counties to set building permit fees.

The bill was read the third time and placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2021 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Deccio.

Senate Bill No. 2021 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2096, as amended by the House, by Senators Lewis (Harry), Walgren, Donohue and McDermott: .

Providing for study of administrative costs of school districts.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Haley.

Mr. Haley: "Would we be able to compare the relative costs of the administration of the state of Washington with other states? In other words, have any other states adopted this very same system?"

Mr. Bauer: "The implementation of this would certainly facilitate that comparison with other states. It would give us a handle on exactly what the administrative cost is as opposed to other states. On your second question, I don't know what other states have done. I have no information on this."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2096 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Eng.

Not voting: Representative Deccio.

Engrossed Senate Bill No. 2096 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### MOTIONS

On motion of Mr. Charette, the House advanced to the eighth order of business.

On motion of Mr. Charette, HOUSE BILL NO. 720 was rereferred from Committee on Ways and Means to Committee on Higher Education.

On motion of Mr. Charette, HOUSE BILL NO. 586 was rereferred to Committee on Rules.

Mr. Charette moved that HOUSE BILL NO. 1077 be rereferred from Committee on State Government to Committee on Local Government.

### ROLL CALL

The Clerk called the roll on the motion by Mr. Charette to rerefer House Bill No. 1077 to Committee on Local Government, and the motion was carried by the following vote: Yeas, 72; nays, 10; not voting, 16.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Bond, Eikenberry, Gaines, Hurley G. S., Lysen, Nelson, Patterson, Polk, Schumaker.

Not voting: Representatives Amen, Bausch, Brown, Chandler, Charnley, Deccio, Gilleland, Haley, Hendricks, Kuehnle, Laughlin, Matthews, Sherman, Tilly, Warnke, Williams.

### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 2268.

### MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Thursday, April 3, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



**TWENTY-FIRST DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, April 3, 1975.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Deccio and Williams. Representative Deccio was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mary Ann O'Brien and Ross Brennan. Prayer was offered by Sister Jerome Mary of St. Joseph's Hospital in Aberdeen.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

April 3, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2126,  
 ENGROSSED SENATE BILL NO. 2314,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2408,  
 SENATE BILL NO. 2484,  
 ENGROSSED SENATE BILL NO. 2650,  
 ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 129,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 3, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on SENATE BILL NO. 2079 and has appointed as members of the conference committee thereon: Senators Beck, Henry and Guess.

Sidney R. Snyder, Secretary.

April 3, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2203,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

**SIGNED BY THE SPEAKER**

The Speaker announced that he was about to sign:

SENATE BILL NO. 2203.

**INTRODUCTION AND FIRST READING**

ENGROSSED SENATE BILL NO. 2126, by Senators Jolly and Benitz:

Permitting public utility districts to pay travel and living expenses of prospective employees.

To Committee on Transportation and Utilities

ENGROSSED SENATE BILL NO. 2314, by Senators Morrison and Jones:

Enacting a new criminal code relating to miscellaneous crimes.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 2408, by Committee on Labor (Originally sponsored by Senators Grant, Morrison, Ridder, Mardesich, von Reichbauer, Bailey, Sellar and Matson):

Establishing the public employment relations commission.

To Committee on Labor

SENATE BILL NO. 2484, by Senators Sandison and Newschwander:

Allowing an officer or employee to receive accrued vacation when transferring from one state agency to another.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2650, by Senator Bailey:

Ratifying county budget actions.

To Committee on Local Government

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 129, by Committee on Constitution and Elections (Originally sponsored by Senator Mardesich):

Amending the State Constitution.

To Committee on Constitution and Elections

#### MOTION

On motion of Mr. Thompson, the bills and resolutions listed on today's agenda were referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

April 2, 1975

HOUSE BILL NO. 516, Prime Sponsor: Representative Laughlin, adding use of certified mail to registered mail where appropriate in code. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on State Government.

April 1, 1975

HOUSE BILL NO. 526, Prime Sponsor: Representative Fortson, giving added responsibility and authority to intermediate school districts. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 after "authorized" insert ", subject to the provisions of chapter 39.34 RCW,"

On page 2, line 10 after "instruction" insert "and subject to the provisions of chapter 39.34 RCW"

On page 2, following line 22 insert a new section as follows:

"NEW SECTION. Sec. 4. There is added to chapter 28A.21 RCW a new section to read as follows:

The state board of education shall prepare a comprehensive evaluation of the service areas of intermediate school districts prior to December 31, 1975, in accordance with RCW 28A.21.020. It is the intent of the legislature that such an evaluation shall be aimed at the feasibility of reducing the number of intermediate school districts."

On page 1, line 4 of the title, after "39.34.020;" strike "and" and on line 6 after "RCW" insert "; and adding a new section to chapter 28A.21"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Brown, Fortson, Gaspard, Haley, Hendricks, Hurley (George).

To Committee on Rules for second reading.

March 31, 1975

HOUSE BILL NO. 652, Prime Sponsor: Representative Laughlin, establishing disposition procedures for unclaimed personal property in port districts. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Adams, Blair, Cochrane, Fischer, Lee, McCormick, North, Paris, Smith (Edward), Whiteside.

To Committee on Rules for second reading.

April 1, 1975

HOUSE BILL NO. 825, Prime Sponsor: Representative Bauer, changing amount authorized as deferred compensation for school employees. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 13 after "bank," insert "mutual savings bank,"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Fortson, Haley, Hayner, Hendricks, Valle, Whiteside.

To Committee on Rules for second reading.

April 2, 1975

HOUSE BILL NO. 965, Prime Sponsor: Representative King, establishing an employer-employee labor relations board. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, King, May.

MINORITY recommendation: Do not pass. Signed by Representatives Freeman, Gilleland, Haley, Matthews.

To Committee on Rules for second reading.

April 1, 1975

HOUSE BILL NO. 975, Prime Sponsor: Representative McKibbin, requiring notice of nonrenewal of teachers' supplemental contracts. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Dunlap, Ehlers, Fortson, Haley, Hendricks, Valle, Whiteside.

To Committee on Rules for second reading.

March 31, 1975

HOUSE BILL NO. 992, Prime Sponsor: Representative Gaines, modifying the definition of vehicle dealer and permitting isolated sales of not more than four vehicles each year. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 11 after "(b)" strike all material down to and including "(c)" on line 13 and insert:

"((Public officers while performing their official duties; or

(c)) Any person doing business under the laws of this state or of the United States relating to banks, trust companies, mutual savings banks, savings and loan associations, or credit unions; or

(c) The state of Washington and any of its political subdivisions. This shall include but not be restricted to public officers while performing their official duties; or

(d)"

On page 2 at the beginning of line 15, strike "(d)" and insert "(((d))) (e)"

On page 2 at the beginning of line 21, strike "(e)" and insert "(((e))) (f)"

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Gaines, Kuehne, O'Brien, Wojahn.

To Committee on Rules for second reading.

April 2, 1975

HOUSE BILL NO. 1011, Prime Sponsor: Representative Savage, permitting transfer to and preserving rights of academic personnel of community colleges working in correctional institutions if program transferred to another community college district. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Maxie, Chairwoman; Moreau, Vice Chairman; Bond, Charnley, Nelson, Savage, Wojahn.

To Committee on Rules for second reading.

April 1, 1975

HOUSE BILL NO. 1035, Prime Sponsor: Representative Kilbury, removing non-application of environmental impact report to thermal power plant sites. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Bond, Ceccarelli, Charnley, Clemente, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Leckenby, Lee, McCormick, Patterson, Schumaker, Seeberger, Sherman, Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Douthwaite.  
To Committee on Rules for second reading.

April 1, 1975

HOUSE BILL NO. 1100, Prime Sponsor: Representative Gaspard, permitting local governments greater latitude in establishing utility rates. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Bond, Ceccarelli, Chandler, Charnley, Clemente, Douthwaite, Dunlap, Gaines, Gallagher, Hansen, Hayner, Leckenby, Lee, McCormick, Patterson, Schumaker, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

April 2, 1975

HOUSE BILL NO. 1101, Prime Sponsor: Representative Charnley, mandating use of words "community college" in respective community college's names. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Moreau, Vice Chairman; Bond, Charnley, Nelson, Patterson, Peterson, Savage, Wojahn.

To Committee on Rules for second reading.

April 1, 1975

HOUSE BILL NO. 1141, Prime Sponsor: Representative Gaines, providing for expedited decision regarding construction of highway between Bellevue and Seattle. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Bond, Ceccarelli, Clemente, Dunlap, Gaines, Gilleland, Hansen, Laughlin, Leckenby, Lysen, McCormick, Patterson, Sherman, Wilson.

To Committee on Rules for second reading.

March 27, 1975

HOUSE BILL NO. 1148, Prime Sponsor: Representative Erickson, requiring property tax exemption applications every four years. Reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 13 after "approved" insert ": PROVIDED, That application fees for renewal applications submitted for assessment year 1975 are hereby cancelled and any such fees collected by the department shall be refunded"

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Eikenberry, Hawkins, Kilbury, Kuehnle, Nelson, Newhouse, Sommers, Williams.

To Committee on Rules for second reading.

April 1, 1975

HOUSE JOINT MEMORIAL NO. 19, Prime Sponsor: Representative Fortson, memorializing the President and Congress not to change the line of demarcation for inland waters. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives, Perry, Chairman; Barnes, Bender, Berentson, Bond, Ceccarelli, Chandler, Charnley, Clemente, Douthwaite.

Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Leckenby, Lee, McCormick, Patterson, Schumaker, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

April 1, 1975

HOUSE CONCURRENT RESOLUTION NO. 22, Prime Sponsor: Representative Hansey, proposing coordinated traffic safety efforts. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Bond, Ceccarelli, Clemente, Dunlap, Gaines, Gilleland, Hansen, Hayner, Lee, McCormick, Patterson, Schumaker, Wilson.

To Committee on Rules for second reading.

April 2, 1975

SENATE BILL NO. 2513, Prime Sponsor: Senator Matson, authorizing completion of migrant housing demonstration project in Yakima county. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, Freeman, Gilleland, Haley, King, Matthews, May.

To Committee on Rules for second reading.

MOTION

On motion of Mr. Charette, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 40, by Committee on Social and Health Services (Originally sponsored by Representatives Eng, Adams, Parker, Ceccarelli and Maxie - by Department of Social and Health Services request):

Providing for health maintenance organizations.

The bill was read the third time and placed on final passage.

Representatives Eng and Adams spoke in favor of the bill, and Representative Haley spoke against it.

POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Peterson.

Mr. Peterson: "Just a point of clarification: There is a section in here requiring employers which have 25 or more employees to offer the option of a group health plan. Suppose I had a small company of exactly 25 employees and had contracted with Aetna for a group insurance plan and had gotten certain rates because I had 25 employees. Now suppose some of these employees under this bill wish to join an HMO, which would reduce my number of employees, would I be required to make that offer or is it an HMO or Aetna? Do I have to make one or the other available to the employees?"

Mr. Eng: "Representative Peterson, what is required under this bill is that if you have 25 employees or more you have to offer, under a due choice, HMO's as one of the alternatives for the employees to pick from. You can have Aetna; you can have a Group Health or an HMO or you can have Blue Cross and the employees can pick from one of these as his choice of medical care."

Mr. Peterson: "The concern I have is—suppose you have agreed with Aetna for 25 employees and that is the basis upon which you get your group rate. Now 10 employees decide to go to an HMO, and you've lost that 25-employee group rate and the other 15 employees would have to pay a higher rate. Am I correct on that?"

Mr. Eng: "In (3) on page 16 it states that 'No employer in this state shall be required to pay more for health benefits as a result of the application of this section...' and that is the section that you are referring to. What we are trying to do here is make sure that HMO's are offered as an alternative to the other plans and that this does not incur added cost to you."

Mr. Peterson: "What I am saying is that if you have a group rate that a commercial company has established at 25 employees and now, under this bill, you have to offer a choice,

so some number of those employees move to an HMO and that destroys the group rate for the regular commercial insurance that you had before. Could it, in fact, increase the insurance rates for the employees of that group?"

Mr. Eng: "My understanding is that the answer is no. The HMO's can only offer competitive pricing, the same price the other insurance or health care policy offered."

Mr. Peterson: "In other words, could a company say, 'You have two choices,' and the employees can vote on it, whether in a collective bargaining unit or not, they could offer you either an HMO or x-brand insurance company, take your choice?"

Mr. Eng: "No, you have to offer both. You can offer a dual choice and the employees take whichever they want."

Mr. Freeman spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Leckenby.

Mr. Leckenby: "Dr. Adams, I didn't get a clear answer from the questions that took place before with Representative Eng. I would like to ask if there is a company that has more than 25 employees that negotiates for a health care contract with a union, for instance, is there a clear-cut choice whether you have an HMO or an alternative from another carrier or is the company faced with the possibility of having to carry two programs?"

Mr. Adams: "As I understand it, you would have the choice of the one you wish to be under. The majority, as I understand it, would take you into that insurance or into the HMO."

Mr. Leckenby: "In other words, a company would not have to carry two programs at the same time?"

Mr. Adams: "That's the way I understand it."

Mr. Parker spoke in favor of passage of the bill, and Mr. Randall spoke against it.

Mr. Newhouse demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 40, and the bill passed the House by the following vote: Yeas, 73; nays, 22; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Peterson, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Bond, Brown, Flanagan, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Patterson, Polk, Randall, Schumaker, Whiteside, Zimmerman.

Not voting: Representatives Chandler, Deccio, Williams.

Engrossed Substitute House Bill No. 40, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 44, by Committee on Judiciary (Originally sponsored by Representatives Parker, Savage, Adams, Chatalas and Tilly - by Department of Social and Health Services request):

Relating to child abuse.

The bill was read the third time and placed on final passage.

Representatives Parker and Eikenberry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 44, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Williams.

Engrossed Substitute House Bill No. 44, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 58**, by Committee on Commerce (Originally sponsored by Representatives Ehlers, Gallagher and Rick Smith):

Requiring emergency exits for mobile homes.

The bill was read the third time and placed on final passage.

Mr. Ehlers spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "How many mobile home fire fatalities have there been in the state of Washington in the last few years? Do you have some figures?"

Mr. Ehlers: "Somewhere in the bibliography that I gave you, Representative Zimmerman, there was an item from the fire association which included those figures. I think it's something in the neighborhood of 15 in the last few years—I can't remember exactly. It's pretty consistent with the national figures of other states which indicate that whenever there is a fire the chance of a fatality in a mobile home fire is twice that of a conventional home. As far as the number of homes, Mr. Zimmerman, I would have to search the statistics. I believe it was in the neighborhood of 15 and I believe that was in half of the fire districts who reported; half of the districts in the survey did not respond."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 58, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Kuehnle.

Not voting: Representatives Chandler, Deccio, Williams.

Substitute House Bill No. 58, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 284**, by Representatives Hanna and Adams (by Department of Social and Health Services request):

Authorizing increased payment for juvenile probation supervision.

The bill was read the third time and placed on final passage.

Representatives Hanna and Parker spoke in favor of the bill, and Representatives Shipnosh and Curtis spoke against it.

## POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Hanna, I believe you stated that the amount that would have been paid out had this program been fully funded for the past biennium would be some \$1 million in excess of what actually was paid out. Is that correct?"

Mr. Hanna: "Yes, the counties earned more by the strict application to the formula than they received. There was not the money available."

Mr. Leckenby: "If they earned more than they received—if we pass this bill, then they will earn an additional amount which presumably they will not receive, so what's the use in passing this bill?"

Mr. Hanna: "No, this doesn't mean that they will earn any more because their plan has to be in two years ahead of time. It means that the plans for the rest of the biennium will fall within the existing amount of money with this change. This change will only apply to 9 of 22 counties."

Mr. Leckenby: "Well, but all of the 22 counties, when their plans for the two years ahead come in, would suppose that they would get \$6,000 individually, isn't that right?"

Mr. Hanna: "That's right, but they have not used the formula where they had to make a two-year biennium projection. In the past it was done on a year-to-year basis. This is the first time that they have actually submitted a two-year projection. Representative Shinpoch is right, this is very likely to lead to a three million dollar request in the future. I don't think that's too aggressive when we are talking about keeping kids from developing a criminal life pattern. I think that's very realistic. We are talking about sentences that will provide more time in prison; we are talking about the death penalty. I don't think that giving more money to keep kids from getting that far along the road is a bit misdirected and I would be very happy to say, 'Representative Shinpoch, yes, we will be asking for more money for juvenile prevention.'"

Mr. Leckenby spoke against passage of the bill.

Mr. Luders demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 284, and the bill passed the House by the following vote: Yeas, 65; nays, 29; not voting, 4.

Voting yea: Representatives Adams, Amen, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Smith E. P., Sommers, Thompson, Valle, Warnke, Wojahn, Zimmerman.

Voting nay: Representatives Bagnariol, Barnes, Bond, Curtis, Dunlap, Ehlers, Flanagan, Freeman, Gaspard, Gilleland, Hansen, Hayner, Juelling, Kilbury, Leckenby, Lee, Matthews, Newhouse, North, Polk, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Tilly, Whiteside, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Deccio, Hendricks, Williams.

House Bill No. 284, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 308, by Committee on Social and Health Services (Originally sponsored by Representatives Parker, Newhouse, Fischer, Paris, Adams, Tilly, Fortson, Eng, Pardini, Cochrane, Conner, Bagnariol, Chatalas, May and Gallagher):

Prescribing educational and professional requirements for the profession of optometry.

The bill was read the third time and placed on final passage.

Representatives Parker and May spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Haley.

Mr. Haley: "On page 2, line 12 it says, 'The practice of optometry is defined as the examination of the human eye, the examination and diagnosis of the human vision system...' I



am interested in knowing, Representative Randall, the legislative intent of the phrase 'diagnosis of the human vision system' what all does this include?"

Mr. Randall: "You have asked me for about half an hours' worth of explanation and I don't think the House really wants that. To explain all that would take a half an hour."

Mr. Haley: "Well, maybe you have missed what I am driving at. The ophthalmologists are concered about this particular phrase and whether or not the optometrists would try to expand their field of practice."

Mr. Randall: "I doubt if the wording would expand the field of practice. The term 'diagnosis of the vision system' does include not only an analysis of the visible characteristics of the eye, whether or not there is a pathological problem involved, interpretation, there are many things that go into it. What we do now, of course, is to perform almost exactly as the wording of the bill states—the diagnosis of the way you see, your reaction to it, your interpretation, color, bounds—the whole gamut that goes into the analysis is now being practiced by optometrists. I think this language just puts it down in so many words."

Mr. Haley: "In other words, you'd say that the legislative intent is not to enlarge the field of practice of the optometrists?"

Mr. Randall: "I agree."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 308, and the bill passed the House by the following vote: Yeas, 90; nays, 4; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Boldt, McKibbin, Seeberger, Smith R.

Not voting: Representatives Chandler, Deccio, Juelling, Williams.

Engrossed Substitute House Bill No. 308, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2150, as amended by the House, by Committee on Agriculture (Originally sponsored by Senators Jolly, Sellar, Day, Wilson and Benitz):

Changing certain laws relating to agriculture.

The bill was read the third time and placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2150 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Deccio, Nelson, Patterson, Williams.

Engrossed Substitute Senate Bill No. 2150 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Thompson, further action of the bills on today's second reading calendar was deferred, and the bills were ordered placed on tomorrow's second reading calendar.

## MOTIONS

On motion of Mr. Thompson, the following bills were rereferred from Committee on Rules to Committee on Ways and Means: HOUSE BILL NO. 862, HOUSE BILL NO. 863, HOUSE BILL NO. 864, HOUSE BILL NO. 865 and HOUSE BILL NO. 866.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, April 4, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 4, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Deccio, Newhouse, Seeberger and Whiteside, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shon Verge and Tim Wells. Prayer was offered by Father William Treacy of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE.

April 3, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2059,  
 SUBSTITUTE SENATE BILL NO. 2142,  
 ENGROSSED SENATE BILL NO. 2169,  
 ENGROSSED SENATE BILL NO. 2509,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2059, by Committee on Social and Health Services (Originally sponsored by Senators Day and McDermott):

Involving the hospital commission in comprehensive health planning.

To Committee on Social and Health Services

SUBSTITUTE SENATE BILL NO. 2142, by Committee on Natural Resources (Originally sponsored by Senators Peterson, Talley and Harry Lewis):

Transferring certain duties from the director of fisheries to the director of revenue.

To Committee on Natural Resources

ENGROSSED SENATE BILL NO. 2169, by Senators Bottiger, Sellar and Talley:

Providing for the adoption and implementation of standards for integrating school library and media services.

To Committee on Education

ENGROSSED SENATE BILL NO. 2509, by Senator Woody:

Permitting notaries public to use rubber stamps in addition to seals.

To Committee on Judiciary

REPORTS OF STANDING COMMITTEES

April 2, 1975

HOUSE BILL NO. 26, Prime Sponsor: Representative Eng, authorizing board of dentistry to establish rules and regulations for testing of dentists from foreign countries. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

Strike all language after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 18.32 RCW a new section to read as follows:

(1) Notwithstanding the provisions of RCW 18.32.040, a person who has had issued to him or her a degree of doctor of dental medicine, or doctor of dental surgery, or equivalent by a foreign dental school recognized by the world health organization, or by a foreign dental school approved by the board of dental examiners, shall be eligible to take the examination given by the board in the theory and practice of the science of dentistry upon furnishing all of the following documentary evidence satisfactory to the board translated into English:

- (a) A certified copy of the dental school diploma.
- (b) A certified copy of the dental school transcript.
- (c) Descriptive material on length of total educational experience, which shall not be less than six years post-secondary education or its equivalent.
- (d) License or evidence of being admitted to practice in the country in which graduated.
- (e) Evidence that his or her license or permit is in good standing.
- (f) Endorsement by embassy or appropriate governmental agency of the country in which graduated: PROVIDED, HOWEVER, That alternative arrangements may be made for political refugees, or in other unusual circumstances.

(2) Examination by the board of a foreign-trained dental applicant shall be a progressive examination given in the following sequence:

- (a) Passing scores on all Part I National Board examinations.
- (b) Passing scores on all Part II National Board examinations.
- (c) Satisfactory performance on a preclinical examination in restorative and prosthetic techniques not using patients.
- (d) Satisfactory performance on an examination in diagnosis and treatment planning (if required of all candidates).
- (e) Satisfactory performance on an examination on the state dental practice act and regulations (if required of all candidates).
- (f) Satisfactory performance on a clinical examination required of all candidates for dental licensure.

When an applicant for a license under this section has received a passing grade equivalent to that required of other applicants in the examinations of the kind set forth in subsections (2) (a), (b) and (c) of this section, he or she shall be exempt from reexamination in that subject in subsequent examinations before the board held within a three year period from the date of the examination in which he or she obtained such passing grade.

The licensure examination for foreign-trained dental applicants shall be held by the board at least once a year with such additional examinations as the board deems necessary. The time and place of the examination shall be fixed and announced by the board at least six months prior to the date that the examination is to be held."

On line 1 of the title, after "adding" strike "new sections" and insert "a new section"

Signed by Representatives Bauer, Becker, Cochrane, Eng, Fischer, Haley, Hanna, May, Peterson, Whiteside.

To Committee on Rules for second reading.

April 2, 1975

HOUSE BILL NO. 780, Prime Sponsor: Representative Fischer, establishing sickle cell disease testing and counseling program in the department of health. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Eng, Fischer, Fortson, Greengo, Haley, Hanna, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

April 2, 1975

HOUSE BILL NO. 862, Prime Sponsor: Representative Bagnariol, relating to appropriations. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Bausch, Boldt, Charette, Chatalas, Erickson, Gaspard, Hurley (George), Hurley, (Margaret), Kilbury, Luders, McKibbin, Moreau, North, Smith (Edward), Smith (Rick), Sommers, Thompson, Valle.

To Committee on Rules for second reading.

March 31, 1975

HOUSE BILL NO. 876, Prime Sponsor: Representative Kilbury, relating to irrigation development. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Boldt, Deccio, Hansen, Hansey, Haussler, Tilly.

MINORITY recommendation: Do not pass. Signed by Representatives Amen, Laughlin.  
Referred to Committee on Ways and Means - Appropriations.

April 3, 1975

HOUSE BILL NO. 1051, Prime Sponsor: Representative Martinis, permitting investments of certain state game funds. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Bond, Clemente, Conner, Gilleland, Greengo, Hansey, Haussler, Hurley (George), Kilbury, Matthews, Moreau, Schumaker.

To Committee on Rules for second reading.

April 3, 1975

HOUSE BILL NO. 1082, Prime Sponsor: Representative Hayner, designating Fort Walla Walla Park as a regional park. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives Hurley (Margaret), Chairwoman; Gaines, Vice Chairman; Freeman, Lee, North, Paris, Peterson, Randall, Smith (Edward).

To Committee on Rules for second reading.

April 2, 1975

HOUSE BILL NO. 1204, Prime Sponsor: Representative Becker, relating to artificial honey products. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Becker, Vice Chairwoman; Amen, Boldt, Hansen, Hansey, Laughlin, Schumaker, Tilly.

To Committee on Rules for second reading.

April 3, 1975

SENATE JOINT MEMORIAL NO. 110, Prime Sponsor: Senator Sandison, memorializing Congress to exempt duck hunting from requirements of federal environmental policy act. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 30 after "exempt" strike "duck" and insert "migratory waterfowl"

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Bond, Gilleland, Greengo, Hansey, Haussler, Hurley (George), Kilbury, Matthews, Moreau, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

## SECOND READING

### MOTION

Mr. Charette moved that the House immediately consider HOUSE BILL NO. 988 on second reading.

Mr. Curtis moved that the motion by Mr. Charette be amended, and House Bill No. 988 be considered immediately after consideration of House Bill No. 561.

The motion was carried.

HOUSE BILL NO. 561, by Representatives Bagnariol, Polk and McCormick:

Permitting wine and beer in specified amounts to be brought into the state from foreign countries without duty.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifth Day, Ex. Sess., March 18, 1975.)

On motion of Mr. Warnke, the committee amendment was adopted.

Mr. Bagnariol moved adoption of the following amendment:

On page 1, section 1, line 10 after "use" strike all matter down to the period on line 18 and insert the following: "such alcoholic beverages as have been declared and permitted to enter the United States duty free under federal law.

Such entry of alcoholic beverages in excess of that herein provided may be authorized by the board upon payment of an equivalent markup and tax as would be applicable to the purchase of the same or similar liquor at retail from a state liquor store. The board shall adopt appropriate regulations pursuant to chapter 34.04 RCW for the purpose of carrying out the provisions of this section"

On motion of Mr. Kuehnle, the following amendment to the Bagnariol amendment was adopted:

On line 4 of the amendment after "from a" and before "state liquor store" insert "Washington"

Mr. Warnke spoke in favor of adoption of the amendment as amended, and it was adopted.

House Bill No. 561 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Thompson, the House moved to immediately consider HOUSE BILL NO. 693.

HOUSE BILL NO. 693, by Representatives North, Berentson, Kalich and Fortson:

Requiring advertising public contracts in a newspaper in the part of the county where the work is to be done.

The bill was read the second time.

On motion of Mr. Haussler, Substitute House Bill No. 693 was substituted for House Bill No. 693, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 693 was read the second time and passed to Committee on Rules for third reading.

#### MOTIONS

On motion of Mr. Thompson, consideration of HOUSE BILL NO. 301 was deferred, and the bill was ordered held for Monday's second reading calendar.

On motion of Mr. Thompson, the House moved to immediately consider HOUSE BILL NO. 788.

HOUSE BILL NO. 788, by Representatives Adams, Haley, Hanna, Becker, Newhouse, Hendricks, Tilly, Whiteside, Bauer, Jastad, May, Parker, Cochran, Fischer, Paris and Greengo:

Prescribing changes in provisions relating to physicians and surgeons.

On motion of Mr. Adams, Substitute House Bill No. 788 was substituted for House Bill No. 788, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 788 was read the second time.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

On motion of Mr. Adams, the following amendments were adopted:

On page 16, beginning on line 16 strike all language down through the semicolon on line 18 and renumber the remaining subsections consecutively.

On page 2, beginning on line 1 of the title, strike all language down through the semicolon on line 3.

Substitute House Bill No. 788 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 988, by Representatives Thompson and Pardini:

Providing for presidential primaries.

The bill was read the second time.

Committee on Ways and Means – Appropriations recommendation: Majority, do pass as amended by Committee on Constitution and Elections. (For amendment, see Journal, Fifteenth Day, Ex. Sess, March 28, 1975.)

Mr. King moved adoption of the committee amendment.

Mr. Hawkins moved adoption of the following amendment to the committee amendment:

On page 1, at the beginning of line 5 insert new amendatory sections as follows:

"Section 1. Section 6, chapter 103, Laws of 1965 ex. sess., section 29, Laws of 1965 and RCW 29.13-.070 are each amended to read as follows:

Nominating primaries for general elections to be held in November shall be held at the regular polling places in each precinct on the third Tuesday of the preceding September: PROVIDED, That the presidential preference primary and the primaries for the nomination of candidates for the offices of governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, commissioner of public lands, insurance commissioner and superintendent of public instruction shall be held on the fourth Tuesday in May of each presidential election year.

Sec. 2. Section 1, chapter 103, Laws of 1965 ex. sess.; section 29, chapter 9, Laws of 1965 and RCW 29.18.030 are each amended to read as follows:

The name of no candidate shall be printed upon the official ballot used at a state primary, unless not earlier than the ((last Monday of July)) fifty-first day immediately preceding such a primary nor later than the ((next succeeding Friday)) forty-seventh day immediately preceding such a primary, a declaration of candidacy is filed in the form hereinafter set forth:

DECLARATION AND AFFIDAVIT OF CANDIDACY

State of Washington }
County of ----- } ss.

DECLARATION

I, -----, declare upon honor that I am a registered voter residing at No. ----- street, ----- (city or town of) ----- (county of) -----, state of Washington, and am legally qualified to assume office if elected; that I hereby declare myself a candidate for nomination to the office of ----- or position No. ----- for the office of ----- (fill in whichever blank is applicable) to be made at the primary election to be held on the ----- day of -----, and hereby request that my name be printed upon the official primary ballots, as provided by law, as a candidate of the (do not fill this in if office sought is nonpartisan) ----- party, and I accompany herewith the sum of ----- dollars, the fee required by law of me for becoming a candidate.

AFFIDAVIT

FURTHER, I do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington; that I do not advocate the overthrow, destruction, or alteration of the constitutional form of government of the United States or of the state of Washington or any political subdivision of either of them, by revolution, force or violence, and that I do not knowingly belong to any organization, foreign or otherwise, which engages in or advocates, the overthrow, destruction or alteration of the constitutional form of government of the United States or of the state of Washington or any political subdivision of either of them, by revolution, force or violence.

(Please print name to assure correct spelling)

(Signature of candidate as name to appear upon ballot)

Subscribed and sworn to before me this ----- day of -----, 19...

(signature of official)

(Official title)

Any candidate may in writing withdraw his declaration at any time to and including the first Wednesday after the last day allowed for filing declarations of candidacy. Should the candidate desire to mail his declaration of withdrawal it shall be honored if the instrument is postmarked no later than the last day allowed for withdrawals. There shall be no refund of the filing fee."

And renumber the remaining sections consecutively.

Mr. Hawkins spoke in favor of the amendment to the amendment, and Mr. King spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hawkins to the committee amendment to House Bill No. 988, and the amendment was not adopted by the following vote: Yeas, 37; nays, 56; not voting, 5.

Voting yea: Representatives Barnes, Becker, Berentson, Blair, Bond, Chandler, Charnley, Cochrane, Curtis, Douthwaite, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Haley, Hanna, Hansey, Hawkins, Hurley G. S., Kuehne, Leckenby, Lee, Matthews, Nelson, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Smith E. P., Sommers, Tilly, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Parker, Perry, Randall, Sherman, Shipoch, Smith R., Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Deccio, Newhouse, Seeberger, Whiteside.

The Clerk read the following amendment to the committee amendment by Mr. Hawkins:

On page 1, line 9 after "primary" insert "and the primaries for the nomination of candidates for the offices of governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, commissioner of public lands, insurance commissioner and superintendent of public instruction"

With the consent of the House, Mr. Hawkins withdrew the amendment.

The Speaker assumed the Chair.

Mr. Hawkins moved adoption of the following amendment to the committee amendment:

On page 1, line 16 after "act" insert ": PROVIDED, That each person desiring to vote in the presidential preference primary shall sign his or her name on a list, at the polling place, under the designation of the major political party primary in which he or she intends to vote, at which time the precinct election worker shall give such person the appropriate primary ballot."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, I would like to clarify what amendment we are working on. The arguments and the amendment aren't balancing each other out."

The Speaker: "We are working on the first amendment on page 1, line 16, and it says after 'act' insert 'PROVIDED'."

Mr. Thompson: "That's my understanding too, and yet Representative Hawkins advanced arguments for the withdrawal of presidential candidates which is in another amendment on this page. I guess I would ask the Chair for a further clarification or else provide Representative Hawkins another opportunity to speak to the correct amendment."

Mr. Hawkins spoke in favor of the amendment to the committee amendment, and Mr. Brown spoke against it.

Mr. Hawkins spoke again in favor of the amendment to the amendment.

Representatives Moon and Peterson spoke in favor of the amendment to the amendment, and Representatives Thompson and King spoke against it.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Hawkins to the committee amendment to House Bill No. 988, and the amendment was not adopted by the following vote: Yeas, 30; nays, 61; not voting, 7.

Voting yea: Representatives Barnes, Berentson, Boldt, Bond, Charnley, Cochrane, Curtis, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hanna, Hansey, Hawkins, Hurley G. S., Kilbury, Kuehne, Leckenby, Lee, Matthews, Nelson, Patterson, Peterson, Polk, Schumaker, Smith E. P., Valle, Williams, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hansen, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Sherman, Shipoch, Smith R., Thompson, Tilly, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Blair, Deccio, Newhouse, Seeberger, Sommers, Whiteside.



## POINT OF PERSONAL PRIVILEGE

Mr. Brown: "Mr. Speaker, in the preceding debate Representative Moon implied that I had made a misstatement regarding charges made against the blanket primary. I wish to state categorically that he is in error. A number of these complaints have been investigated thoroughly and have been disproved—as well as my statement that they have been proven, a number have been disproved."

Mr. Hawkins moved adoption of the following amendment to the committee amendment:

On page 4, line 20 beginning with "The names" strike all material down to and including "affiliation" on line 22 and insert "A separate ballot shall be printed for each major political party which has candidates whose names have been authorized for placement on presidential preference primary ballots under section 2 of this 1975 act. The names of all presidential candidates for a party's nomination for the office of president shall be listed alphabetically in a column on that party's ballot."

## POINT OF ORDER

Mr. Pardini: "It appears to me that this amendment is out of order with the defeat of the first amendment, and it should probably be withdrawn. Would the Chair rule on the propriety of giving consideration on page 4 inasmuch as the preceding amendment had been defeated?"

## SPEAKER'S RULING

The Speaker: "Representative Pardini, I think there is a definite merit to your contention that, since the first amendment was defeated, this amendment might add confusion to the bill, but I don't think it's substantially the same. I think that is a matter for the House to determine, whether they wish to consider the amendment or not."

With the consent of the House, Mr. Hawkins withdrew the amendment.

Mr. Hawkins moved adoption of the following amendment to the committee amendment:

On page 2, line 12 after "29.79.210." insert a new paragraph as follows:

"The secretary of state shall place the name of the candidate on the ballot unless the candidate at least thirty-five days prior to such presidential preference primary shall execute and file with the secretary of state an affidavit stating without qualification that he is not now and does not intend to become a candidate for the office of president of the United States at the forthcoming presidential election."

Mr. Hawkins spoke in favor of the amendment to the committee amendment, and Mr. King spoke against it.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Smith (Rick).

Mr. Smith (Rick): "Representative King, is there any mechanism in the presidential primary legislation by which the decision of the Secretary of State to include a candidate he deems to be a contender for presidential nomination? Is there any provision to challenge that decision?"

Mr. King: "No, other than the fact that the procedure is one in which the Secretary of State can contact the chairmen of the major political parties in advance of making the decision of who should go on there and they have an opportunity to discuss it with him—whether or not they are reliable candidates, whether some should be added—that kind of thing. But no, this direction is the direction other states are going because of the tendency on the part of some candidates to withdraw simply because they don't want to get involved in that election. There might be, in the state of Washington, for example, if we should have someone from our state running, a tendency on the part of everybody to say 'I don't want to compete against somebody who is likely to be a favorite son of that particular state.' They might well end up in the presidential preference primary in Washington the first time around with only one name on, and that could happen in other states. Other states have recognized this and so they have not allowed candidates to withdraw their names because if they do you don't really have a primary election."

Mr. Smith (Rick) spoke in favor of the amendment.

The amendment to the committee amendment was not adopted.

Mr. Hawkins moved adoption of the following amendments to the committee amendment:

On page 2, line 26 after "first" strike "two ballots" and insert "ballot"

On page 3, line 29 after "or until" strike "two convention nominating ballots have" and insert "one convention nominating ballot has"

Mr. Hawkins spoke in favor of the amendments to the committee amendment, and Mr. King spoke against them.

The amendments were not adopted.

Mr. Hawkins moved adoption of the following amendments to the committee amendment:

On page 3, line 4 after "than" strike "fifteen" and insert "ten"

On page 3, line 23 after "receives" strike "fifteen" and insert "ten"

Representatives Hawkins and Hurley (George) spoke in favor of the amendments, and Mr. Thompson spoke against them.

Mr. Hawkins spoke again in favor of the amendments to the committee amendment, and Mr. King spoke against them.

Mr. Hansey demanded an electric roll call, and the demand was sustained.

Mr. Smith (Rick) spoke in favor of the amendments to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Hawkins to page 3 of the committee amendment to House Bill No. 988, and the amendments were adopted by the following vote: Yeas, 51; nays, 41; not voting, 6.

Voting yea: Representatives Barnes, Becker, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hanna, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Jueling, Kuehnle, Leckenby, Lee, Matthews, Maxie, McKibbin, Moreau, Nelson, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Smith R., Sommers, Tilly, Valle, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hansen, Haussler, Hurley M., Jastad, Kaich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, North, O'Brien, Parker, Perry, Randall, Sherman, Shipoch, Smith E. P., Thompson, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Deccio, Moon, Newhouse, Seeberger, Whiteside.

Mr. Hawkins moved adoption of the following amendment to the committee amendment:

On page 3, line 7 beginning with ": PROVIDED," strike all material down to and including "district" on line 11.

Mr. Hawkins spoke in favor of the amendment, and Mr. King spoke against it.

The amendment to the committee amendment was not adopted.

Mr. Hawkins moved adoption of the following amendment to the committee amendment:

On page 5, line 14 after "thereof." insert a new section as follows:

"NEW SECTION, Sec. 10. This 1975 act shall be submitted to the people for their adoption and ratification or rejection, at the next general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1975, in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and laws adopted to facilitate the operation thereof."

Remember the remaining section consecutively.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Curtis: "I have an amendment on the desk that comes one line ahead of this one. Would I be precluded from considering mine by the consideration of this amendment?"

The Speaker: "No, you wouldn't be, because this is not a striking amendment."

Representatives Hawkins, Hurley (George) and Haley spoke in favor of the amendment, and Representatives King and Pardini spoke against it.

POINT OF INQUIRY

Mr. King yielded to question by Ms. Maxie.

Ms. Maxie: "Representative King, it has been stated that House Bill No. 988 has a fiscal note of over a million dollars. My question to you is, has this been incorporated into the budget as presented to the caucus?"

Mr. King: "I would defer that question to Representative Bagnariol or Representative Shipoch."

Ms. Maxie: "Are you a member of Ways and Means Committee?"

Mr. King: "I'm not on the Ways and Means Committee."

Mr. Bagnariol yielded to question by Ms. Maxie.

Ms. Maxie: "My question is, has House Bill No. 988 been incorporated into the budget?"

Mr. Bagnariol: "Not in the budget document. As you know, Representative Maxie, when bills have a fiscal impact we attempt to let the bill carry its own appropriation. We have had the dollar amount in mind as we developed the budget. Remember there is only about \$4,500 that will be spent during this biennium. The way this works, in effect, the primary election is in May of 1976, the local governments pick up the tab and they bill the state. We will pay that million dollars in the next biennium, so it really won't impact this particular budget period."

Mr. Hansey demanded an electric roll call and the demand was sustained.

Representatives Gaspard, Thompson and O'Brien spoke in opposition to the amendment to the committee amendment, and Mr. Peterson spoke in favor of it.

POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "In the ways and Means Committee when we discussed the budget for education, did we not cut the handicapped program from \$80 million to \$70 million?"

Mr. Bagnariol: "We reduced it down to \$73 million and the majority of the reduction came as a result of an audit as to the number of anticipated students that will be in that program—from 12,000 to less than 4,000."

Mr. Hurley (George): "But we did cut it, didn't we?"

Mr. Bagnariol: "The budget was reduced, yes."

Representatives Hurley (George), Cochrane and Ehlers spoke in favor of the amendment, and Mr. Bagnariol spoke in opposition to it.

Mr. Charette demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Hawkins to page 5 of the committee amendment to House Bill No. 988, and the amendment was not adopted by the following vote: Yeas, 41; nays, 50; not voting, 7.

Voting yea: Representatives Barnes, Becker, Berentson, Blair, Bond, Chandler, Charnley, Cochrane, Curtis, Dunlap, Ehlers, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Haley, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kuehnle, Leckenby, Lee, Matthews, May, Nelson, Paris, Peterson, Polk, Savage, Schumaker, Smith E. P., Tilly, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hayner, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Patterson, Perry, Randall, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Deccio, Maxie, Newhouse, Parker, Seeberger, Whiteside.

On motion of Mr. Thompson, the following amendments to the committee amendment were adopted:

On page 3, line 25 after "how" strike "such"

On page 3, line 25 after "votes" insert "allotted to the state by the national committee"

Mr. Curtis moved adoption of the following amendment to the committee amendment:

On page 5, line 13 add a new section to read as follows:

"NEW SECTION. Sec. 9. Maximum interest in the electoral process is crucial to the success of a democracy. Therefore, it is found to be in the public interest that all primary elections for state and local offices to be filled in the general election in any presidential year be held on the same day as the presidential primary authorized by this act. Notwithstanding any other provision of law all such primaries shall hereafter be held on the date established for the holding of the presidential preference primary established by sections 1 through 7 of this act. All necessary filings shall be carried out in the same manner as provided by current law except that the dates shall be modified so that filing periods and such other dates as are utilized shall be the same number of days before the presidential preference primary as they are before the primary in nonpresidential primary years."

Renumber the remaining sections consecutively.

Mr. Curtis spoke in favor of the amendment, and Mr. Douthwaite spoke against it.

The amendment was not adopted.

The committee amendment as amended was adopted.

House Bill No. 988 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 821, by Representatives Lee, Douthwaite, Hurley (Margaret), Maxie, Brown, Bender, Sherman, Charnley and Cochrane:

Authorizing hostels.

The bill was read the second time.

On motion of Mrs. Hurley (Margaret) Substitute House Bill No. 821 was substituted for House Bill No. 821, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 821 was read the second time.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, strike all material on lines 18 and 19 and insert:

"(1) Short term sleeping accommodations including adequate restroom and bathing facilities;"

Representatives Kuehnle and Lee spoke in favor of the amendment, and it was adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 25 following "prohibited" insert ": PROVIDED FURTHER, That no charge may be made for any accommodations, facilities, or services authorized by this section which charge is greater than an amount sufficient to recover actual maintenance and operating costs"

Representatives Kuehnle and Lee spoke in favor of the amendment, and Representatives Pardini and Hurley (George) spoke against it.

Mr. Kuehnle spoke again in favor of adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle to Substitute House Bill No. 821, and the amendment was not adopted by the following vote: Yeas, 42; nays, 48; not voting, 8.

Voting yea: Representatives Adams, Bagnariol, Barnes, Becker, Berentson, Boldt, Bond, Chandler, Cochrane, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Freeman, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Kuehnle, Leckenby, Lee, Martinis, Matthews, McCormick, Nelson, Patterson, Peterson, Polk, Schumaker, Shipoch, Smith E. P., Sommers, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Bausch, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Curtis, Fischer, Flanagan, Fortson, Gaines, Gallagher, Haley, Haussler, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Perry, Randall, Savage, Sherman, Smith R., Thompson, Tilly, Valle, Warnke, Williams, Wilson.

Not voting: Representatives Amen, Clemente, Deccio, Jueling, Newhouse, Parker, Seeberger, Whiteside.

Substitute House Bill No. 821 was ordered engrossed and passed to Committee on Rules for third reading.

MESSAGES FROM THE SENATE

April 4, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2096, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 4, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2096,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 2096.

MOTIONS

On motion of Mr. Charette, the House advanced to the eighth order of business.

On motion of Mr. Charette, HOUSE BILL NO. 784 was rereferred from Committee on Local Government to Committee on Agriculture.

On motion of Mr. Charette, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 3, 1975

HOUSE BILL NO. 283, Prime Sponsor: Representative Parker, defining the duties and qualifications of a superintendent of a public institution. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Eng, Fischer, Fortson, Haley, Hanna, Hendricks, May, Peterson, Whiteside.

To Committee on Rules for second reading.

March 31, 1975

HOUSE BILL NO. 323, Prime Sponsor: Representative Randall, exempting fire districts from the 106 percent property tax limitation. Reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

After line 29 add a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 52.36 RCW a new section to read as follows:

Any fire protection district which includes within its area or is adjacent to, buildings and equipment, except those leased to a nontax exempt person or organization, owned or controlled by any Indian tribal council or other Indian tribal governing authority, may contract with such Indian tribal council or other governing authority for fire protection services necessary for the protection and safety of personnel and property pursuant to the provisions of chapter 39.34 RCW, as now or hereafter amended: PROVIDED, That no fire protection district shall provide such fire protection services to any property owned or controlled by any Indian tribal council or other governing authority which property is exempt from property taxation except pursuant to a contract as authorized by this section."

On line 1 of the title after "Relating to" and before "amending" strike "property taxes; and" and insert "fire districts;"

On line 3 of the title after "RCW 84.55.010" and before the period insert "; and adding a new section to chapter 52.36 RCW"

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Kilbury, Kuehnle, Moreau, Newhouse, Pardini.

MINORITY recommendation: Do not pass. Signed by Representatives Hurley (George) and Sommers.

To Committee on Rules for second reading.

April 3, 1975

HOUSE BILL NO. 864, Prime Sponsor: Representative Bagnariol, adopting a budget for the institutions of higher education. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Bausch, Boldt, Charette, Chatalas, Ehlers, Erickson, Gaspard, Hurley (George), Hurley (Margaret), Kilbury, Luders, McKibbin, Smith (Edward), Smith (Rick), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

April 3, 1975

HOUSE BILL NO. 865, Prime Sponsor: Representative Shinpoch, adopting a budget for the community colleges. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Bausch, Charette, Chatalas, Curtis, Ehlers, Erickson, Gaspard, Hurley (George), Hurley (Margaret), Kilbury, Luders, North, Polk, Smith (Rick), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

April 4, 1975

HOUSE JOINT MEMORIAL NO. 24, Prime Sponsor: Representative Tilly, requesting that the apple blossom be designated as the national flower. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Becker, Vice Chairwoman; Boldt, Erickson, Flanagan, Hansen, Hansey, Haussler, Schumaker, Tilly.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Monday, April 7, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**TWENTY-FIFTH DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Monday, April 7, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Thompson presiding). The Clerk called the roll and all members were present except Representatives Eng, Freeman and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Pam Morris and Bill Johnson. Prayer was offered by Reverend Arthur I. Anderson of Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

April 4, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2101,  
 SECOND SUBSTITUTE SENATE BILL NO. 2235,  
 ENGROSSED SENATE BILL NO. 2416,  
 ENGROSSED SENATE BILL NO. 2453,  
 SENATE BILL NO. 2454,  
 SUBSTITUTE SENATE BILL NO. 2519,  
 SENATE BILL NO. 2636,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 4, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2150, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 4, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2150,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

**INTRODUCTION AND FIRST READING**

ENGROSSED SENATE BILL NO. 2101, by Senators Day and von Reichbauer:

Requiring a state hospital for treatment of sexual psychopaths on each side of the Cascade range.

To Committee on Social and Health Services

SUBSTITUTE SENATE BILL NO. 2235, by Committee on Local Government (Originally sponsored by Senators Talley, Jolly and Sellar):

Allowing certain public utility districts to acquire, construct, operate and add to sewage and sanitation systems.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2416, by Senators Francis, Clarke and Fleming:

Changing requirements for foreclosing a deed of trust.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2453, by Senators Murray, Fleming, North and Bailey:

Granting criminal justice training commission power to lease facilities.

To Committee on Local Government

SENATE BILL NO. 2454, by Senators Murray, Fleming and North:

Directing the criminal justice education board and commission to establish minimum standards for recruitment of criminal justice personnel.

To Committee on Local Government

SUBSTITUTE SENATE BILL NO. 2519, by Committee on Higher Education (Originally sponsored by Senators Goltz, Guess and Benitz):

Relating to the council on higher education.

To Committee on Higher Education

SENATE BILL NO. 2636, by Senators Donohue, Sellar, Sandison and Matson:

Implementing law relating to construction of Washington State University tree fruit research center and financing thereof.

To Committee on Higher Education

#### REPORTS OF STANDING COMMITTEES

April 4, 1975

HOUSE BILL NO. 26, Prime Sponsor: Representative Eng, authorizing board of dentistry to establish rules and regulations for testing of dentists from foreign countries. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Social and Health Services.

April 4, 1975

HOUSE BILL NO. 296, Prime Sponsor: Representative Sommers, increasing petty cash account limit. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on State Government.

April 4, 1975

HOUSE BILL NO. 417, Prime Sponsor: Representative Eikenberry, removing restriction that salary of a municipal court judge in a city of more than five hundred thousand inhabitants may not exceed the salary of superior court judges. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Hanna, Maxie, Patterson, Sherman.

To Committee on Rules for second reading.

April 4, 1975

HOUSE BILL NO. 626, Prime Sponsor: Representative Charette, regulating judicial salaries. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 after "court" insert a period and strike the remainder of the section.

On page 2, beginning on line 6 strike the remainder of the bill.

On page 1, beginning on line 4 of the title after "3.58.010;" strike all material down to and including "RCW 3.58.020;" on line 6.

Signed by Representatives Knowles, Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Hanna, Maxie, Patterson, Sherman.

To Committee on Rules for second reading.



April 4, 1975

HOUSE BILL NO. 749, Prime Sponsor: Representative Douthwaite, deleting restrictive language pertaining to Indian witnesses. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Maxie, Patterson, Sherman.

To Committee on Rules for second reading.

April 4, 1975

HOUSE BILL NO. 798, Prime Sponsor: Representative Kuehnle, allowing supervisor of industrial insurance to authorize continuing medication necessary to alleviate pain from industrial injuries. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 3 after "of" strike "medications" and insert "medical and therapeutic measures including payment of prescription medications, but not including those controlled substances currently scheduled by the state board of pharmacy as Schedule I, II, III or IV substances under chapter 69.50 RCW, which are"

Signed by Representatives Savage, Chairman; Bausch, Cochrane, Freeman, Gilleland, Haley, King, Matthews, May.

To Committee on Rules for second reading.

April 4, 1975

HOUSE BILL NO. 915, Prime Sponsor: Representative Adams, relating to social service planning, funding and delivery. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Social and Health Services.

April 3, 1975

HOUSE BILL NO. 979, Prime Sponsor: Representative Curtis, providing for issuance of game and fish licenses to handicapped persons. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Bond, Clemente, Conner, Gilleland, Greengo, Hansey, Haussler, Hurley (George), Kilbury, Matthews, Moreau, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 4, 1975

HOUSE BILL NO. 1029, Prime Sponsor: Representative Conner, recognizing the Washington association of sheriffs and chiefs of police. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 4 after "sheriffs and" strike "chiefs of police" and insert "police chiefs"

On page 1, line 4 after "hereby" strike "recognized as" and insert "declared to be"

Signed by Representatives Knowles, Chairman; Eikenberry, Gaspard, Hanna, Patterson, Sherman.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Chatalas, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 47, by Committee on Transportation and Utilities (Originally sponsored by Representative North):

Broadening definition of urban areas eligible for urban arterial funds.

The bill was read the third time and placed on final passage.

Mrs. North spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 47, and the bill passed the House by the following vote: Yeas, 67; nays, 21; not voting, 10.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Boldt, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Tilly, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bender, Blair, Bond, Brown, Charnley, Douthwaite, Dunlap, Eikenberry, Flanagan, Gilleland, Greengo, Hurley G. S., Kuehnle, Lysen, Maxie, Peterson, Polk, Sommers, Valle, Williams.

Not voting: Representatives Berentson, Eng, Freeman, Leckenby, Luders, Nelson, Newhouse, Pardini, Perry, Wilson.

Engrossed Substitute House Bill No. 47, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 561, by Representatives Bagnariol, Polk and McCormick:

Permitting wine and beer in specified amounts to be brought into the state from foreign countries.

The bill was read the third time and placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 561, and the bill passed the House by the following vote: Yeas, 73; nays, 17; not voting, 8.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Parker, Patterson, Polk, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Clemente, Cochrane, Douthwaite, Ehlers, Hawkins, Kilbury, Lee, Lysen, Matthews, Moon, Paris, Peterson, Sherman, Tilly, Williams, Zimmerman.

Not voting: Representatives Eng, Freeman, Luders, Nelson, Pardini, Perry, Randall, Wilson.

Engrossed House Bill No. 561, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 693, by Committee on Local Government (Originally sponsored by Representatives North, Berentson, Kalich and Fortson):

Requiring advertising public contracts in a newspaper in the part of the county where work is to be done.

The bill was read the third time and placed on final passage.

Mrs. North spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mrs. North yielded to question by Mr. Ehlers.

Mr. Ehlers: "The intent I think is a good one, but as you know now there is a county official newspaper which must carry such bid specifications and now you are adding to this a second requirement which doesn't say 'or' it says 'and in a legal newspaper of general circulation.' What is the fiscal impact of this to the junior taxing districts and the other districts which must call for such bids? Do we have any such fiscal impact on that?"

Mrs. North: "Representative Ehlers, I'll try to clear up your question if I can. I'll take the last one first. I attempted to get a line on the fiscal impact. The only word I could receive

was that it would be minimal. What is happening is there is indeed a newspaper which should cover all parts of the county and that would be the official newspaper. In practicality this doesn't work. Now it may work in Pierce County, but in King County, for instance, a job to be done in the Enumclaw area would appear in the Beacon Hill News, which is the official county paper. The people in Enumclaw would never see the Beacon Hill News; therefore it would be necessary to have it put in the Enumclaw Courier Herald, just to give you an example."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 693, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Ehlers, Leckenby.

Not voting: Representatives Eng, Freeman, Pardini, Perry, Wilson.

Substitute House Bill No. 693, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien assumed the Chair.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 788, by Committee on Social and Health Services (Originally sponsored by Representatives Adams, Haley, Hanna, Becker, Newhouse, Hendricks, Tilly, Whiteside, Bauer, Jastad, May, Parker, Cochrane, Fischer, Paris and Greengo):

Prescribing changes in provisions relating to physicians and surgeons.

The bill was read the third time and placed on final passage.

Representatives Adams and Haley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 788, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Freeman, Pardini, Wilson.

Engrossed Substitute House Bill No. 788, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 821, by Committee on Parks and Recreation (Originally sponsored by Representatives Lee, Douthwaite, Hurley (Margaret), Maxie, Brown, Bender, Sherman, Charnley and Cochrane):

Authorizing hostels.

The bill was read the third time and placed on final passage.

Representatives Lee, Hurley (Margaret) and Seeberger spoke in favor of the bill, and Representatives Flanagan and Kuehnle spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 821, and the bill passed the House by the following vote: Yeas, 77; nays, 18; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Bond, Deccio, Dunlap, Eikenberry, Flanagan, Gilleland, Hansey, Hayner, Hendricks, Juelling, Kuehnle, Nelson, Newhouse, Patterson, Polk, Schumaker...

Not voting: Representatives Eng, Freeman, Wilson.

Engrossed Substitute House Bill No. 821, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 988, by Representatives Thompson and Pardini:

Providing for presidential primaries.

The bill was read the third time and placed on final passage.

Representatives Thompson, Lysen, Sherman and Pardini spoke in favor of passage of the bill, and Representatives Hurley (George), Polk, Hawkins, Brown and Savage spoke against it.

Mr. Conner demanded the previous question, and the demand was not sustained.

Mr. Curtis spoke in opposition to the bill.

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Hurley (George).

Mr. Hurley (George): "I want to know if you think people should participate in a political party?"

Mr. Pardini: "Yes."

Mr. Hurley (George): "Do you think then, Representative Pardini, that a Kennedy or a Rockefeller or a Wallace should be able to buy nomination?"

Mr. Pardini: "No."

Mr. Hurley (George): "Then why, Representative Pardini, do you support this bill?"

## ADMONITION BY THE SPEAKER (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Hurley, I think you are out of order."

Representatives King and Gallagher spoke in favor of the bill, and Representatives Hurley (George), Berentson, Becker, Cochrane and Ehlers spoke in opposition to it.

Mr. Ceccarelli demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 988, and the bill passed the House by the following vote: Yeas, 52; nays, 41; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hurley M., Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Parker, Perry, Randall, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Blair, Bond, Brown, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Flanagan, Gilleland, Greengo, Haley, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kuehnle, Leckenby, Lee, Matthews, May, Nelson, Newhouse, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Whiteside, Williams, Zimmerman.

Not voting: Representatives Charnley, Eng, Freeman, Maxie, Wilson.

Engrossed House Bill No. 988, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Conner, Engrossed House Bill No. 988 was ordered transmitted immediately to the Senate.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:  
 SUBSTITUTE SENATE BILL NO. 2150.

MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 301, by Representatives Hanna and Adams (by Department of Social and Health Services request):

Authorizing additional leaves of absence for inmates of penal institutions.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifty-fourth Day, March 7, 1975.)

Mr. Adams moved adoption of the committee amendment.

Mrs. Hurley (Margaret) moved adoption of the following amendment to the committee amendment by Representatives Hurley (Margaret), Hanna and Berentson:

On line 4 of the House committee amendment after "purposes" insert ": PROVIDED, That this item (3) shall not apply to any inmate serving a term of imprisonment for a conviction of murder in the first degree, as defined in RCW 9.48.030, or for a conviction of a crime defined in chapter 9.79.010 RCW, except during the last six months of the sentence"

Mrs. Hurley (Margaret) spoke in favor of the amendment.

POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Hurley, this is a tricky question, but I would like to clarify this amendment. I was wondering of the last clause. . . 'except during the last six months of the sentence,' . . . does that apply to both those convicted of murder and those convicted of rape, or just to those convicted of rape?"

Mrs. Hurley (Margaret): "It was intended, I am sure, to apply to both. Representative Hanna did bring that last phrase to me, perhaps you would like to address your question to him."

POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Hanna, would you care to answer that question?"

Mr. Hanna: "Could you state it one more time, please?"

Mr. Tilly: "I was wondering on the amendment by you and Mrs. Hurley whether the last clause in the amendment, 'except during the last six months of the sentence'—does that apply to both those convicted of murder and convicted of rape, or only to those convicted of rape?"

Mr. Hanna: "Both."

Mr. Randall spoke in opposition to the amendment.

Mr. Hansey demanded an electric roll call and the demand was sustained.

## POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Hanna, in order to be able to judge the effect of the amendment to the amendment, I wonder if you might explain to me the purpose for and the effect of the original amendment—that is, the committee amendment, changing the language in the original bill?"

Mr. Hanna: "The reason that the bill was amended in the committee was that we tried to make every effort to lean over backwards to the minority members on the committee who felt strongly that it was too general, allowed too much leeway and decision by the institution and the superintendent. So we felt that it was reasonable to go that far with it."

Representatives Berentson, Greengo, Deccio, Savage and Tilly spoke in favor of the amendment to the committee amendment, and Representatives Randall, Adams and Douthwaite spoke against it.

## POINT OF PARLIAMENTARY INQUIRY

Ms. Becker: "Mr. Speaker, I believe there is an amendment to the amendment to the committee amendment on the desk. Could I speak to that?"

## POINT OF ORDER

Mr. Eikenberry: "I believe that is one amendment too many for our rules, Mr. Speaker."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your point is well taken, Representative Eikenberry. Representative Becker, we can act on this amendment and then if it is defeated you can offer your amendment to the committee amendment."

## ROLL CALL

The Clerk called the roll on the amendment by Representatives Hurley (Margaret), Hanna and Berentson to the committee amendment to House Bill No. 301, and the amendment was adopted by the following vote: Yeas, 69; nays, 22; not voting, 7.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Berentson, Boldt, Bond, Ceccarelli, Chandler, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Smith R., Tilly, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Becker, Bender, Blair, Brown, Charette, Chatalas, Clemente, Cochrane, Douthwaite, Fischer, Hawkins, Lysen, Martinis, Maxie, Parker, Randall, Smith E. P., Sommers, Thompson, Valle, Williams.

Not voting: Representatives Bagnariol, Charnley, Conner, Eng, Freeman, Shipoch, Wilson.

Mr. Deccio moved adoption of the following amendment by Representatives Deccio and Hurley (Margaret) to the committee amendment:

On page 1, line 17 after "contests," strike all material down to and including "rehabilitative purposes:" and insert "and organized classes of education at an educational institution;"

Mr. Deccio spoke in favor of the amendment.

## POINT OF ORDER

Mr. Hanna: "I would like to request that the discussion focus on the bill at hand. So far we have been talking about three different amendments in three different ways and I think we should confine the discussion to the bill and the amendment at hand. We are not talking about the furlough bill, which never came out of committee and probably never will. I don't think we should sink this with that."

The Speaker (Mr. O'Brien presiding): "Representative Deccio, will you confine your remarks to your amendment to the committee amendment?"

Mr. Deccio continued his remarks in favor of the amendment.

## POINT OF ORDER

Mr. Randall: "Mr. Speaker, we have already cut the committee amendment where it says 'to include rehabilitative purposes,' and the amendment in front of us strikes 'rehabilitative purposes' and I think that is contrary to our rules of operation."

The Speaker (Mr. O'Brien presiding): "The committee amendment hasn't been adopted as yet and this is an amendment to the committee amendment."

Representatives Deccio and Eikenberry spoke in favor of the amendment, and Mr. Hanna spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Representatives Deccio, Haley and Hurley (Margaret) spoke in favor of the amendment to the committee amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Deccio and Hurley (Margaret) to the committee amendment to House Bill No. 301, and the amendment was adopted by the following vote: Yeas, 59; nays, 34; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bond, Ceccarelli, Chandler, Chatalas, Clemente, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Gaines, Gallagher, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Matthews, May, McCormick, McKibbin, Nelson, Newhouse, O'Brien, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Smith R., Tilly, Warnke, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Becker, Boldt, Brown, Charette, Charnley, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fortson, Greengo, Haley, Hanna, Hawkins, King, Martinis, Maxie, Moon, Moreau, North, Parker, Perry, Randall, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Williams, Wojahn.

Not voting: Representatives Eng, Flanagan, Freeman, Wilson, and Mr. Speaker.

The committee amendment as amended was adopted.

Mr. Eikenberry moved adoption of the following amendment:

On page 1, line 21 after "attention" insert ": PROVIDED, That the superintendent who grants a leave of absence shall be personally civilly liable for acts of an inmate committed during such leave of absence when the superintendent either (1) knew or (2) in the course of exercising professional judgment and discretion, should have known that (a) granting the leave of absence would create a clear and present danger to the safety of persons and property or (b) would probably result in harm to persons or property"

Mr. Eikenberry spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Not being an attorney, I don't know how this personal civil liability would act in a case like this. Suppose, for example in the case you mentioned, what would you come back to Warden Rhay to charge him with being civilly liable for, how much, and how would that be a practical amendment? How would this possibly be able to work?"

Mr. Eikenberry: "Representative Douthwaite, I thank you for asking the question because it's raising an important point. There is no problem here, we simply resort to the practice of civil law that has existed in the state for a hundred years or whatever the time is. In other words, law suits occur frequently because of a homicide and the problem of establishing a value and the problem of establishing liability is nothing new at all. Of course here in the proposed amendment we have set out the test, which would be that in view of the fact that the warden knew or should have known that granting the leave would create a clear and present danger—or in the alternative would probably result in harm to persons or property."

Mr. Douthwaite: "Well, about how much money would you expect that a bond, which would be required for a person like Warden Rhay to have, would cost so that he could exercise any discretion of this kind?"

Mr. Eikenberry: "That's a problem on down the road for a person in Warden Rhay's capacity to work out. Frankly, I'm not concerned about that because we are discussing here a policy issue. Are we going to put the burden on the person in Warden Rhay's position to assess these things accurately—to have insurance, or to set up a program to make sure that

these things don't occur? Or do we put the risk and the burden on the individual in the community who's going to be killed or injured? I submit that the burden properly belongs on Warden Rhay."

Mr. Douthwaite spoke against adoption of the amendment.

Mr. Pardini demanded an electric roll call and the demand was sustained.

#### POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. King.

Mr. King: "By making a particular officer of the state civilly liable, what effect would this have on the liability of the state, if any?"

Mr. Eikenberry: "Representative King, it's entirely possible that this liability would rebound eventually to the state; however, the point of this amendment is to also make that individual, who is the superintendent exercising these professional capacities, very cognizant of that liability on both himself and the state. The point here is that individuals in a position such as the warden become so totally client-oriented or patient-oriented (or whatever the right word is) that they tend to lose track of community safety and concern. What I'm saying is that by having personal responsibilities placed on persons such as Warden Rhay then they must be doubly aware of what they are doing to the citizens when they grant a leave of absence in a case like Arthur St. Peter."

Mr. King: "Representative Eikenberry, it is my understanding then, and this is only from my memory, that citizens in this state have been successful in suits against the state of Washington for the actions of individuals who have been on leave—this is just from memory, you probably are much more aware of what has occurred than I am—but I'm concerned about whether or not this kind of language would limit the liability of the state and make the individual go to a particular individual who may not have the money to be sued in that instance. I'm concerned about whether or not by making an officer of the state liable, that the state itself can be liable."

Mr. Eikenberry: "Representative King, you raise two points: First of all, the trend has not been to hold the state responsible. You may well recall we passed appropriations here on the floor of this House to try to make whole some individuals who have suffered damage or injuries because of runaways—I believe it was from Green Hill. The decision was that the state could not be sued for not properly securing that youngster who ran away and burned down the home of this lady that we tried to make whole by passing an appropriation here. If this law passes, if this amendment becomes law, I'm sure that one of the steps that will be taken is for the warden and people in his position to take out insurance to cover themselves in this capacity or to work out a contractual arrangement so that the state will indemnify the warden. Nevertheless, by having this within the law, that individual realizes that he is on the line and that he, personally, is causing the taxpayers to have to pay out this money, or for himself, hopefully, to suffer some kind of monetary loss because of the ridiculous kind of judgment exercised in the St. Peter case."

#### MOTION

Mr. Charette moved that further action on today's calendar be deferred, and the bills be ordered placed on tomorrow's calendar.

Mr. Charette spoke in favor of the motion, and Mr. Eikenberry spoke against it.

Mr. Charette spoke again in favor of the motion, and Mr. Pardini spoke against it.

Mr. Charette spoke again in favor of the motion, and it was carried.

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Tuesday, April 8, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



TWENTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 8, 1975.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lynn Upchurch and Tim Hogan. Prayer was offered by the Reverend Arthur I. Anderson of Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE GOVERNOR

April 7, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 5, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 48: Exempting persons who render emergency care from civil liability under certain conditions.

SUBSTITUTE HOUSE BILL NO. 132: Extending the use of personalized license plates to vehicles other than cars.

HOUSE BILL NO. 410: Authorizing port and public utility districts to pay costs of defense for officers and employees in actions arising out of performance of their duties.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

MESSAGE FROM THE SENATE

April 7, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2032,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

April 4, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 2079, facilitating the refund of erroneously paid camper and trailer tax, have had the same under consideration, and we cannot agree and request the powers of Free Conference in order to make the following changes:

The House recede from the House amendments and adopt the following amendments:

On page 2, after section 2 add a new section as follows:

"NEW SECTION. Sec. 3. If any excise tax due hereunder is not paid when due and payable, the unpaid tax shall bear interest at the rate of six percent per annum from the time such tax is due and payable: PROVIDED, That the interest charge on the unpaid excise tax shall be waived when such interest is less than five dollars: AND PROVIDED FURTHER, The director may waive the interest on the unpaid excise tax when the interest exceeds five dollars and the Department of Motor Vehicles determines that the cost of processing the collection of the interest exceeds the amount of interest due.

The tax hereunder shall be a specific lien on the travel trailer or camper from and after the date it first becomes due hereunder, and shall include all charges authorized by this chapter, which lien shall have priority to and be fully paid and satisfied before any recognition, mortgage, judgment, debt, obligation or responsibility to or with which the travel trailer or camper may become charged or liable, after July 1, 1975, and no sale or transfer of any travel trailer or camper shall in any way affect the lien for such excise tax upon the travel trailer or camper."

On line 3 of the title after "RCW 82.50.170;" strike the word "and"

On line 4 of the title after "RCW 82.50.440" and before the period insert "; and amending section 62, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.470"

Signed by Senators Beck, Henry, Guess; Representatives Hansen, Conner, Blair.

#### MOTION

On motion of Mr. Gaspard, the House adopted the report of the Conference Committee, and granted them the powers of Free Conference.

#### MESSAGE FROM THE SENATE

April 3, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 2021, and asks the House to recede therefrom, and said bill, together with the House amendment thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Haussler moved that the House do recede from its amendment to Senate Bill No. 2021.

Mr. Haussler spoke in favor of the motion and Mr. Kuehnle spoke in opposition to it.

The motion was carried.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Senate Bill No. 2021 without the House amendment.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2021 without the House amendment, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengó, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Hawkins, Williams.

Not voting: Representatives Bender, Flanagan, Kalich, Lysen, Maxie.

Senate Bill No. 2021 without the House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2032, by Senators von Reichbauer and Gould:

Providing that renewal of school district superintendent's contracts be solely at the discretion of the employer school board.

To Committee on Education

#### REPORTS OF STANDING COMMITTEES

April 4, 1975

HOUSE BILL NO. 971, Prime Sponsor: Representative Randall, pertaining to taxation of leasehold interest. Reported by Committee on Ways and Means - Revenue.

**MAJORITY recommendation: Do pass with the following amendments:**

Beginning on page 1 after the enacting clause, strike all matter down to and including "RCW 84.36-460." on page 10, line 18 and insert the following:

"**NEW SECTION.** Section 1. The legislature hereby recognizes that properties of the state of Washington, counties, school districts, and other municipal corporations are exempted by Article 7, section 1 of the state Constitution from property tax obligations, but that private lessees of such public properties receive substantial benefits from governmental services provided by units of government.

The legislature further recognizes that a uniform method of taxation should apply to such leasehold interests in publicly owned property.

The legislature finds that lessees of publicly owned property are entitled to those same governmental services and does hereby provide for a leasehold excise tax to fairly compensate governmental units for services rendered to such lessees of publicly owned property.

**NEW SECTION.** Sec. 2. As used in this chapter the following terms shall be defined as follows, unless the context otherwise requires:

(1) "Leasehold interest" shall mean an interest in publicly owned real or personal property which exists by virtue of any lease, permit, license, or any other agreement, written or verbal, between the public owner of the property and a person who would not be exempt from property taxes if that person owned the property in fee, granting possession and use, to a degree less than fee simple ownership: **PROVIDED,** That no interest in personal property which is owned by the United States, whether or not as trustee, or by any foreign government shall constitute a leasehold interest hereunder when the right to use such property is granted pursuant to a contract solely for the manufacture or production of articles for sale to the United States or any foreign government. The term "leasehold interest" shall not include road or utility easements.

(2) "Taxable rent" shall mean contract rent as defined in subsection (a) of this section in all cases where the lease or agreement has been established through competitive bidding, or negotiated in accordance with statutory requirements regarding the rent payable, or negotiated under circumstances, established by public record, clearly showing that the contract rent was the maximum attainable by the lessor: **PROVIDED,** That after January 1, 1986, with respect to any lease which has been in effect for ten years or more without renegotiation, taxable rent may be established by procedures set forth in subsection (b) of this subsection (2). All other leasehold interests shall be subject to the determination of taxable rent under the terms of subsection (b) of this section.

(a) "Contract rent" shall mean the amount of consideration due as payment for a leasehold interest, including: The total of cash payments made to the lessor or to another party for the benefit of the lessor according to the requirements of the lease or agreement; expenditures for the protection of the lessor's interest when required by the terms of the lease or agreement; and expenditures for improvements to the property to the extent that such improvements become the property of the lessor. Where the consideration conveyed for the leasehold interest is made in combination with payment for concession or other rights granted by the lessor, only that portion of such payment which represents consideration for the leasehold interest shall be part of contract rent.

"Contract rent" shall not include: (i) Expenditures made by the lessee, which under the terms of the lease or agreement, are to be reimbursed by the lessor to the lessee; (ii) Expenditures made by the lessee for the replacement or repair of facilities due to fire or other casualty or for alterations or additions made necessary by an action of government taken after the date of the execution of the lease or agreement; (iii) Improvements added to publicly owned property by a sublessee under an agreement executed prior to January 1, 1976, which have been taxed as personal property of the sublessee prior to January 1, 1976, or improvements made by a sublessee of the same lessee under a similar agreement executed prior to January 1, 1976; (iv) Improvements added to publicly owned property taxed as personal property to any person after January 1, 1976.

Any prepaid contract rent shall be considered to have been paid in the year due and not in the year actually paid with respect to prepayment for a period of more than one year. Expenditures for improvements with a useful life of more than one year which are included as part of contract rent shall be treated as prepaid contract rent and prorated over the useful life of the improvement or the remaining term of the lease or agreement if the useful life is in excess of the remaining term of the lease or agreement. Rent prepaid prior to January 1, 1976, shall be prorated from the date of prepayment.

With respect to a "product lease", the value of agricultural products received as rent shall be the value at the place of delivery as of the fifteenth day of the month of delivery; with respect to all other products received as contract rent, the value shall be that value determined at the time of sale under terms of the lease.

(b) If it shall be determined by the department of revenue, upon examination of a lessee's accounts or those of a lessor of publicly owned property, that a lessee is occupying or using publicly owned property in such a manner as to create a leasehold interest and that such leasehold interest has not been established through competitive bidding, or negotiated in accordance with statutory requirements regarding the rent payable, or negotiated under circumstances, established by public record, clearly showing that the contract rent was the maximum attainable by the lessor, the department may establish a taxable rent computation for use in determining the tax payable under authority granted in this chapter based upon the following criteria: (i) Consideration shall be given to rental being paid to other lessors by lessees of similar property for similar purposes over similar periods of time; (ii) consideration shall be given to what would be considered a fair rate of return on the market value of the property leased less reasonable deductions for any

restrictions on use, special operating requirements or provisions for concurrent use by the lessor, another person or the general public.

(3) "Product lease" as used in this chapter shall mean a lease of property for use in the production of agricultural or marine products to the extent that such lease provides for the contract rent to be paid by the delivery of a stated percentage of the production of such agricultural or marine products to the credit of the lessor or the payment to the lessor of a stated percentage of the proceeds from the sale of such products.

(4) "Renegotiated" means a change in the lease agreement which changes the agreed time of possession, restrictions on use, the rate of the cash rental or of any other consideration payable by the lessee to or for the benefit of the lessor, other than any such change required by the terms of the lease or agreement. In addition "renegotiated" shall mean a continuation of possession by the lessee beyond the date when, under the terms of the lease agreement, the lessee had the right to vacate the premises without any further liability to the lessor.

(5) "City" means any city or town.

**NEW SECTION.** Sec. 3. There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest at a rate of twelve percent of taxable rent: **PROVIDED,** That after the computation of the tax there shall be allowed credit for any tax collected pursuant to section 4 of this 1975 amendatory act.

**NEW SECTION.** Sec. 4. The legislative body of any county or city is hereby authorized to levy and collect a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest in publicly owned property within the territorial limits of such county or city. The tax levied by a county under authority of this section shall not exceed six percent and the tax levied by a city shall not exceed four percent of taxable rent: **PROVIDED,** That any county ordinance levying such tax shall contain a provision allowing a credit against the county tax for the full amount of any city tax imposed upon the same taxable event.

The department of revenue shall perform the collection of such taxes on behalf of such county or city.

**NEW SECTION.** Sec. 5. (1) The leasehold excise taxes provided for in sections 3 and 4 of this 1975 amendatory act shall be paid by the lessee to the lessor and the lessor shall collect such tax and remit the same to the department of revenue. The tax shall be payable at the same time as payments are due to the lessor for use of the property from which the leasehold interest arises, and in the case of payment of contract rent to a person other than the lessor, at the time of payment. The tax payment shall be accompanied by such information as the department of revenue may require. In the case of prepaid contract rent the payment may be prorated in accordance with instructions of the department of revenue and the prorated portion of the tax shall be due, one-half not later than May 31 and the other half not later than November 30 each year.

(2) The lessor receiving taxes payable under the provisions of this chapter shall remit the same together with a return provided by the department, to the department of revenue on or before the fifteenth day of the month following the month in which the tax is collected. The department may relieve any taxpayer or class of taxpayers from the obligation of filing monthly returns and may require the return to cover other reporting periods, but in no event shall returns be filed for a period greater than one year. The lessor shall be fully liable for collection and remittance of the tax. The amount of tax until paid by the lessee to the lessor shall constitute a debt from the lessee to the lessor. The tax required by this chapter shall be stated separately from contract rent, and if not so separately stated for purposes of determining the tax due from the lessee to the lessor and from the lessor to the department, the contract rent does not include the tax imposed by this chapter. Where a lessee has failed to pay to the lessor the tax imposed by this chapter and the lessor has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the lessee for collection of the tax: **PROVIDED,** That taxes due where contract rent has not been paid shall be reported by the lessor to the department and the lessee alone shall be liable for payment of the tax to the department.

(3) Each person having a leasehold interest subject to the tax provided for in this chapter arising out of a lease of federally owned or federal trust lands shall report and remit the tax due directly to the department of revenue in the same manner and at the same time as the lessor would be required to report and remit the tax if such lessor were a state public entity.

**NEW SECTION.** Sec. 6. All administrative provisions in chapters 82.02 and 82.32 RCW, as now or hereafter amended shall be applicable to taxes imposed pursuant to this chapter: **PROVIDED,** That this section shall not authorize the issuance of any levy upon any property owned by the public lessor.

In selecting leasehold excise tax returns for audit the department of revenue shall give priority to any return an audit of which is specifically requested in writing by the county assessor or treasurer or other chief financial officer of any city or county affected by such return. Notwithstanding the provisions of RCW 82.32.330, determinations of the amount of taxable rent made pursuant to the provisions of this chapter shall be part of the public record.

**NEW SECTION.** Sec. 7. All moneys received by the department of revenue from taxes levied under provisions of section 3 of this 1975 amendatory act shall be transmitted to the state treasurer and deposited in the general fund.

**NEW SECTION.** Sec. 8. The counties and cities shall contract, prior to the effective date of an ordinance imposing a leasehold excise tax, with the department of revenue for administration and collection. The department of revenue shall deduct a percentage amount, as provided by such contract, not to exceed one percent of the taxes collected, for administration and collection expenses incurred by the department.

The remainder of any portion of any tax authorized by section 4 of this 1975 amendatory act which is collected by the department of revenue shall be deposited by the state department of revenue in a special fund under the custody of the state treasurer to be known as the local leasehold excise tax revolving fund.

**NEW SECTION. Sec. 9.** Bimonthly the state treasurer shall make distribution from the local leasehold excise tax revolving fund to the counties and cities the amount of tax collected on behalf of each county or city.

**NEW SECTION. Sec. 10.** Any moneys received by a county from the leasehold excise tax provided for under section 4 of this 1975 amendatory act may be allocated to the county current expense fund and may, at the sole discretion of the county legislative body, be distributed to any taxing district authorized to make a regular property tax levy as defined in RCW 84.04.140 in such proportion as the county legislative body shall deem equitable.

**NEW SECTION. Sec. 11.** It is the intent of this chapter that any local leasehold excise tax adopted pursuant to this chapter be as consistent and uniform as possible with the state leasehold excise tax. It is further the intent of this chapter that the local leasehold excise tax shall be imposed upon an individual taxable event simultaneously with the imposition of the state leasehold excise tax upon the same taxable event. The department shall, as soon as practicable, and with the assistance of the appropriate associations of county prosecutors and city attorneys, draft a model ordinance.

**NEW SECTION. Sec. 12.** After computation of the taxes imposed pursuant to sections 3 and 4 of this 1975 amendatory act there shall be allowed the following credits in determining the tax payable:

(1) With respect to a leasehold interest arising out of any lease or agreement, the terms of which were binding on the lessee prior to July 1, 1970, where such lease or agreement has not been renegotiated since that date, and excluding from such credit any leasehold interest arising out of any lease of property covered by the provisions of RCW 28B.20.394, as follows:

With respect to taxes due in calendar year 1976, a credit equal to eighty percent of the tax otherwise due.

With respect to taxes due in calendar year 1977, a credit equal to sixty percent of the tax otherwise due.

With respect to taxes due in calendar year 1978, a credit equal to forty percent of the tax otherwise due.

With respect to taxes due in calendar year 1979, a credit equal to twenty percent of the tax otherwise due.

(2) With respect to a product lease, a credit of thirty-three percent of the tax otherwise due.

**NEW SECTION. Sec. 13.** The following leasehold interests shall be exempt from taxes imposed pursuant to sections 3 and 4 of this 1975 amendatory act:

(1) All leasehold interests constituting a part of the operating properties of any public utility which is assessed and taxed as a public utility pursuant to chapter 84.12 RCW.

(2) All leasehold interests in facilities owned or used by a school, college or university which leasehold provides housing for students and which is otherwise exempt from taxation under provisions of RCW 84.36.010 and 84.36.050.

(3) All leasehold interests of subsidized housing where the fee ownership of such property is vested in the government of the United States, or the state of Washington or any political subdivision thereof but only if income qualification exists for such housing.

(4) All leasehold interests used for fair purposes of a nonprofit fair association that sponsors or conducts a fair or fairs which receive support from revenues collected pursuant to RCW 67.16.100 and allocated by the director of the department of agriculture where the fee ownership of such property is vested in the government of the United States, the state of Washington or any of its political subdivisions: **PROVIDED**, That this exemption shall not apply to the leasehold interest of any sublessee of such nonprofit fair association if such leasehold interest would be taxable if it were the primary lease.

(5) All leasehold interests in state forest lands as defined in chapter 76.12 RCW.

(6) All leasehold interests in any property of any public entity used as a residence by an employee of that public entity who is required as a condition of employment to live in the publicly owned property.

(7) All leasehold interests held by enrolled Indians of lands owned or held by any Indian tribe where the fee ownership of such property is vested in or held in trust by the United States.

(8) All leasehold interests for which annual taxable rent is less than two hundred fifty dollars per year. For purposes of this subsection leasehold interests held by the same lessee in contiguous properties owned by the same lessor shall be deemed a single leasehold interest.

(9) All leasehold interests to the extent that they grant to the lessee the right of use or possession of the leased property for a continuous period of less than thirty days. For purposes of this subsection successive leases or lease renewals giving continuous right of use or possession of the same property to the same lessee shall be deemed a single leasehold interest.

**NEW SECTION. Sec. 14.** There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

The following property shall be exempt from taxation:

Any and all rights to occupy or use any real or personal property owned in fee or held in trust by the United States, the state of Washington, or any political subdivision or municipal corporation of the state of Washington, including any leasehold interest arising from such property as defined in section 2 of this 1975 amendatory act: **PROVIDED**, That this exemption shall not apply to any such leasehold interests which

are a part of operating properties of public utilities subject to assessment under chapter 84.12 RCW nor be construed to modify the provisions of RCW 84.40.230.

Sec. 15. Section 84.40.175, chapter 15, Laws of 1961 and RCW 84.40.175 are each amended to read as follows:

At the time of making the assessment of real property, the assessor shall enter each description of property exempt under the provisions of RCW 84.36.005 through 84.36.060, and value and list the same in the manner and subject to the same rule as he is required to assess all other property, designating in each case to whom such property belongs, and for what purpose used, to entitle it to exemption, and he shall require from every person claiming such exemption proof of the right to such exemption: PROVIDED, That with respect to publicly owned property exempt from taxation under provisions of RCW 84.36.010, the assessor shall value only such property as is leased to or occupied by a private person under an agreement allowing such person to occupy or use such property for a private purpose.

NEW SECTION. Sec. 16. The department of revenue of the state of Washington shall make such rules and regulations consistent with chapter 34.04 RCW and the provisions of this 1975 amendatory act as shall be necessary to permit its effective administration including procedures for collection and remittance of taxes imposed by this chapter, and for intervention by the cities and counties levying under section 4 of this 1975 amendatory act, in proceedings involving such levies and taxes collected pursuant thereto.

NEW SECTION. Sec. 17. All assessments or levies of property taxes for collection in calendar year 1976 are hereby canceled with respect to values arising out of property exempted by section 14 of this 1975 amendatory act.

NEW SECTION. Sec. 18. Notwithstanding any other provision of this 1975 amendatory act, improvements owned or being acquired by contract purchase or otherwise by any sublessee shall be taxable to such sublessee under Title 84 RCW.

NEW SECTION. Sec. 19. Sections 1 through 13, and 16 through 18 of this 1975 amendatory act are each added to chapter 15, Laws of 1961 and to Title 82 RCW and shall constitute a new chapter in Title 82 RCW.

NEW SECTION. Sec. 20. The following acts or parts of acts are each hereby repealed:

- (1) Section 2, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.010;
- (2) Section 3, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.020;
- (3) Section 4, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.030;
- (4) Section 5, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.040;
- (5) Section 6, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.050;
- (6) Section 7, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.060;
- (7) Section 8, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.070;
- (8) Section 9, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.080;
- (9) Section 10, chapter 187, Laws of 1973 1st ex. sess. and RCW 82.29.090;
- (10) Section 11, chapter 187, Laws of 1973 1st ex. sess. and RCW 84.36.450;
- (11) Section 14, chapter 187, Laws of 1973 1st ex. sess. and RCW 84.36.455; and
- (12) Section 15, chapter 187, Laws of 1973 1st ex. sess. and RCW 84.36.460.

NEW SECTION. Sec. 21. Sections 2, and 14 through 17 of this 1975 amendatory act are 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. Sections 1, 3 through 13, and sections 18 through 20 of this 1975 amendatory act shall take effect on January 1, 1976.

NEW SECTION. Sec. 22. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On page 1, line 21 of the title, after "84.36.460;" insert "prescribing effective dates;"

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Hurley (Margaret), Kilbury, Kuehne, Nelson, Newhouse, Pardini, Sommers.

To Committee on Rules for second reading.

## SECOND READING

HOUSE BILL NO. 301, by Representatives Hanna and Adams (by Department of Social and Health Services request):

Authorizing additional leaves of absence for inmates of penal institutions.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Eikenberry to page 1, line 21.

Mr. Leckenby moved adoption of the following amendment to the Eikenberry amendment:

On lines 1 and 3 of the amendment strike "superintendent" and insert "secretary of the department of social and health services"

Mr. Leckenby spoke in favor of the amendment to the amendment, and Representatives Eikenberry, Hanna, Deccio, Parker and Ceccarelli spoke against it.

Mr. Leckenby spoke again in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Deccio.

Mr. Deccio: "On page 1, lines 9 and 10, it changes 'subject to the approval of the director of the department of institutions' (which has been struck) to 'this bill provides that subject to the approval of the secretary of the department of social and health services grant leaves of absence.' Would you explain to the body why that change was made?"

Mr. Hanna: "That's simply a housekeeping amendment there. We no longer have a Director of Institutions since the formation of the super agency. Now all legislation is routinely being changed to Secretary rather than Director."

Mr. Deccio: "If the arguments for Representative Eikenberry's amendment are valid, why would the approval have to lie with the Secretary of DSHS rather than with the warden or the superintendent of the institution where leaves are taking place?"

Mr. Hanna: "They would not. He has the power to delegate that responsibility, which is the normal circumstance. What we are saying in this proposed amendment is that he is personally civilly liable no matter, delegation or not."

Mr. Eikenberry again spoke against adoption of the amendment to the amendment, and it was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be adoption of the amendment by Mr. Eikenberry.

Representatives Eikenberry and Hurley (Margaret) spoke in favor of adoption of the amendment, and Representatives Douthwaite, Parker and Hanna spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eikenberry to House Bill No. 301, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; not voting, 1.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Berentson, Bond, Ceccarelli, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Matthews, May, McKibbin, Newhouse, Patterson, Polk, Savage, Schumaker, Seeberger, Tilly, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Hawkins, Hurley G. S., Kilbury, King, Knowles, Lee, Martinis, Maxie, McCormick, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Randall, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Hayner.

Mr. Deccio moved adoption of the following amendment by Representatives Deccio and Hurley (Margaret):

On page 1, line 22 after "medical attention" strike the period and insert ":

(6) There will be required one professional guard in attendance at all times for each three prisoners granted leave;

(7) There will be required one professional guard in attendance at all times for each prisoner granted furlough."

Mr. Deccio moved adoption of the following amendment to the Deccio/Hurley amendment:

Strike subsection (7).

POINT OF PARLIAMENTARY INQUIRY

Mr. Parker: "I would inquire as to scope and object of the second subsection of this amendment. Would that be brought up now or after the amendment to the amendment? I would like to request that we divide the question. I could then question his second amendment or I could challenge his entire amendment as being beyond the scope and object of the bill."

The Speaker (Mr. O'Brien presiding): "The Chair will recognize a motion to divide the question."

On motion of Mr. Parker, the amendment by Representatives Deccio and Hurley (Margaret) was divided.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Deccio and Hurley (Margaret), adding a new subsection (6).

Representatives Deccio and Tilly spoke in favor of the amendment, and Representatives Parker and Hanna spoke against it.

Mr. Deccio again spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Deccio yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Does this program apply in any way to the resident-release program which is in operation at the University of Washington or Washington State University?"

Mr. Deccio: "Representative Douthwaite, there are many programs conducted by the department and this deals with leaves. Of course, at some point I was hoping we could take care of furloughs and the work-release program."

Mr. Douthwaite: "In the resident-release program, these students are full-time in residence at the University studying—do they have to have a guard for every three of them?"

Mr. Deccio: "We are dealing with leaves. Now if that comes under the leave program, that's exactly what I mean."

Mr. Charette demanded the previous question, and the demand was sustained.

Mr. Hansey demanded an electric roll call vote, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Deccio and Hurley (Margaret) to House Bill No. 301, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54; not voting, 0.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Bond, Ceccarelli, Chandler, Clemente, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kuehnle, Leckenby, Lee, Luders, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Savage, Schumaker, Seeberger, Tilly, Warnke, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bausch, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Fortsof, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Peterson, Randall, Sherman, Shinpoeh, Smith E. P., Smith R., Sommers, Thompson, Valle, Williams, Wojahn, Zimmerman, and Mr. Speaker.

With the consent of the House, Mr. Deccio withdrew the amendment adding a new subsection (7).

Mr. Tilly moved adoption of the following amendment:

On page 1, line 22 after subsection (5) on line 21 insert the following:

"Nothing in this statute or any other provision of law or in the state administrative code shall from and after the effective date of this 1975 amendatory act be construed or interpreted to authorize or permit any grant of leave for any purpose or purposes not specifically set forth in this statute."

Representatives Tilly and Greengo spoke in favor of the amendment, and Mr. Hanna spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to House Bill No. 301, and the amendment was adopted by the following vote: Yeas, 52; nays, 45; not voting, 1.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kilbury, Knowles, Kuehnle, Leckenby, Lee, Luders, Lysen, Matthews, May, Nelson, Newhouse, North, Pardini, Paris, Patterson, Polk, Savage, Schumaker, Seeberger, Smith R., Tilly, Whiteside, Wilson.



Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Boldt, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gaines, Hanna, Hawkins, Hurley G. S., Kalich, King, Laughlin, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, O'Brien, Parker, Perry, Peterson, Randall, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Zimmerman.

MOTION

On motion of Mr. Charette, the House moved to immediately consider HOUSE BILL NO. 865, HOUSE BILL NO. 864 and HOUSE BILL NO. 862 in that order.

Mr. Charette demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Charette the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

On motion of Mr. Charette, the House recessed until 1:00 p.m.

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AFTERNOON SESSION

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The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

SECOND READING

HOUSE BILL NO. 865, by Representatives Shinpoch and Bagnariol:

Relating to appropriations.

On motion of Mr. Shinpoch, Substitute House Bill No. 865 was substituted for House Bill No. 865, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 865 was read the second time.

Mr. Polk moved adoption of the following amendment by Representatives Polk, Leckenby and Zimmerman:

On page 1, line 18 strike all material after "conditions" down to and including page 1, line 22 and insert " PROVIDED, That transfers among amounts separately appropriated may be approved in the allotment process pursuant to section 12 of this act."

Mr. Polk spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Bond.

Mr. Bond: "I kind of sympathize with your objectives here; however I have a question about some other areas, such as libraries, for example. When you mandate a certain amount of money—I've already heard that in some instances they don't need that much money. How do you get around that sort of problem? They will probably spend that money anyway."

Mr. Shinpoch: "I would suggest at this time that whatever agency—and we happen to be talking about the community college agency—come in and tell this legislature that they need so much money, whether it's derived through a formula or whether it's derived straight across, both of them come out to the same thing—when they said that they needed so much money for libraries and we budgeted for that—I would suggest that it's about time that they spent it there. Now if they need it somewhere else, then let them justify to this legislature where they are going to spend it."

Representatives Bond, Polk and Kuehnle spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Polk, Leckenby and Zimmerman to Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53; not voting, 0.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Hansey, Hawkins, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Smith E. P., Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowies, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 1, line 29 strike "2,395,499" and insert "2,540,485"

Representatives Smith (Edward) and King spoke in favor of the amendment, and Mr. Shipoch spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Mr. Bagnariol spoke in opposition to the amendment.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be the amendment by Representative Smith (Edward) to page 1, line 29.

Mr. Kilbury spoke in opposition to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 1, line 29 of Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 44; nays, 54; not voting, 0.

Voting yea: Representatives Bauer, Becker, Berentson, Blair, Boldt, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Eng, Fischer, Flanagan, Gaines, Hanna, Hansey, Haussler, Hawkins, Hurley G. S., Jueling, King, Kuehnle, Laughlin, Leckenby, Lysen, Matthews, McKibbin, Moon, Moreau, Nelson, Pardini, Patterson, Peterson, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Tilly, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Bender, Bond, Ceccarelli, Charette, Chatalas, Clemente, Conner, Dunlap, Ehlers, Eikenberry, Erickson, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hayner, Hendricks, Hurley M., Jastad, Kalich, Kilbury, Knowles, Lee, Luders, Martinis, Maxie, May, McCormick, Newhouse, North, O'Brien, Paris, Parker, Perry, Polk, Randall, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wojahn, and Mr. Speaker.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 2, line 5 strike "1,026,850" and insert "2,000,000"

Representatives Smith (Edward) and King spoke in favor of the amendment, and Mr. Shipoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 2, line 5 of Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 40; nays, 58; not voting, 0.

Voting yea: Representatives Barnes, Becker, Berentson, Blair, Boldt, Brown, Chandler, Charnley, Cochrane, Curtis, Douthwaite, Eng, Fischer, Gaines, Hanna, Hansey, Haussler, Hawkins, Hurley G. S., Jueling, King, Laughlin, Leckenby, Lysen, Matthews, McKibbin, Moon, Moreau, Nelson, Pardini, Peterson, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Tilly, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Bender, Bond, Ceccarelli, Charette, Chatalas, Clemente, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hayner, Hendricks, Hurley M., Jastad, Kalich, Kilbury, Knowles, Kuehnle, Lee, Luders, Martinis, Maxie, May, McCormick, Newhouse, North,

O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wojahn, and Mr. Speaker.

The Clerk read the following amendment by Representative Smith (Edward):

On page 2, line 13 strike "16,941,204" and insert "17,953,464"

POINT OF ORDER

Mr. Newhouse: "Having defeated the first two amendments by Representative Smith, then this amendment should be withdrawn as it provides for the total of money involved in the first amendments."

With the consent of the House, Mr. Smith (Edward) withdrew the amendment.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey, Berentson and Nelson:

On page 2, line 21 after "at" strike "45" and insert "65"

Representatives Hansey, Nelson and Berentson spoke in favor of the amendment, and Representatives Bagnariol and Shinpoch spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hansey, Berentson and Nelson to page 2, line 21 of Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 40; nays, 58; not voting, 0.

Voting yea: Representatives Bender, Berentson, Blair, Boldt, Brown, Chandler, Charnley, Cochrane, Curtis, Douthwaite, Dunlap, Fischer, Freeman, Gaines, Gilleland, Greengo, Hanna, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Juelling, King, Leckenby, Lee, Lysen, Matthews, Moon, Moreau, Nelson, Pardini, Patterson, Peterson, Savage, Schumaker, Smith E. P., Tilly, Williams, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bond, Ceccarelli, Charette, Chatalas, Clemente, Conner, Deccio, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Gallagher, Gaspard, Haley, Hansen, Hayner, Hurley M., Jastad, Kalich, Kilbury, Knowles, Kuehnl, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Newhouse, North, O'Brien, Paris, Parker, Perry, Polk, Randall, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Paris:

On page 2, line 25 after "as" strike "a lagged" and insert "an"

With the consent of the House, Mr. Polk withdrew the amendment.

Mr. Pardini moved adoption of the following amendment by Representatives Pardini and Greengo:

On page 2, lines 28 through 30 strike "only upon approval by the legislative budget committee or its statutory successor"

With the consent of the House, Mr. Pardini withdrew the amendment.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 2, beginning on line 17 strike everything down to and including line 31.

Mr. Smith (Edward) spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment to page 2, line 17 by Representative Smith (Edward) to Substitute House Bill No. 865, and the amendment was adopted by the following vote: Yeas, 61; nays, 37; not voting, 0.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Juelling, King, Kuehnl, Laughlin, Leckenby, Lee, Lysen, Matthews, McKibbin, Moon, Moreau, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bausch, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gallagher, Gaspard, Hansen, Hurley M., Jastad, Kalich, Kilbury, Knowles, Luders, Martinis, Maxie, May, McCormick, North, O'Brien, Parker, Perry, Randall, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

## MOTION

Mr. Bagnariol moved that the House immediately reconsider the vote by which the amendment by Representative Smith (Edward) to page 2, line 17 of Substitute House Bill No. 865 passed the House.

Representatives Bagnariol and Shinpoch spoke in favor of the motion, and Representatives Charnley, Patterson and Flanagan spoke against it.

Mr. Shinpoch spoke again in favor of the motion, and Mr. Flanagan spoke again in opposition to it.

## POINT OF INQUIRY

Mr. Smith (Edward) yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Smith, when we have finished with these amendments of yours dealing with the lagged enrollment, what is the total increase that will be required in the budget?"

Mr. Smith (Edward): "I haven't had those figures, sir. As I understand the figures made by your staff this morning, the total would come up to the \$12 million that I'm trying to get equity with. I can't tell you what the numbers total."

## ROLL CALL

The Clerk called the roll on the motion by Mr. Bagnariol to reconsider the vote by which the amendment by Representative Smith (Edward) to page 2, line 17 of Substitute House Bill No. 865 passed the House, and the motion was lost by the following vote: Yeas, 42; nays, 56; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gallagher, Gaspard, Hansen, Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Parker, Perry, Randall, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jueling, King, Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Moreau, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Smith E. P., Tilly, Whiteside, Williams, Wilson, Zimmerman.

The Clerk read the following amendment by Representatives Hansey, Berentson and Nelson:

On page 2, line 32 strike "17,467,775" and insert "27,237,223"

With the consent of the House Mr. Hansey withdrew the amendment.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 2, line 32 strike "17,467,775" and insert "19,237,223"

Mr. Smith (Edward) spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 2, line 32 of Substitute House Bill No. 865, and the amendment was adopted by the following vote: Yeas, 58; nays, 40; not voting, 0.

Voting yea: Representatives Amen, Barnes, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jueling, King, Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Moreau, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Smith E. P., Smith R., Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gaspard, Hansen, Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Parker, Perry, Randall, Seeberger, Shinpoch, Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 2, beginning on line 36 strike everything through line 9 on page 3.

Mr. Smith (Edward) spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### POINT OF INQUIRY

Mr. Smith (Edward) yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Smith, I notice that the striking language and the following amendments which would appear to reduce almost \$300,000 appropriation—is there some function that, by striking this wording, you are trying to eliminate from the community college budget?"

Mr. Smith (Edward): "No sir, this is the work of the staff this morning and all of these amendments lined up come out at the \$12 million or whatever figure it was—this total package."

Representatives Newhouse and Shipoch spoke against adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 2, line 36 of Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 42; nays, 56; not voting, 0.

Voting yea: Representatives Barnes, Becker, Berentson, Blair, Boldt, Brown, Chandler, Charnley, Cochrane, Deccio, Douthwaite, Dunlap, Eng, Fischer, Flanagan, Freeman, Gaines, Hanna, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Juelling, King, Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Moreau, Nelson, Peterson, Savage, Schumaker, Sherman, Smith E. P., Smith R., Warnke, Williams, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Bender, Bond, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Eikenberry, Erickson, Fortson, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hendricks, Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Seeberger, Shipoch, Sommers, Thompson, Tilly, Valle, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

The Clerk read the following amendment by Representative Smith (Edward):

On page 3, line 10 strike "16,666,257" and insert "16,372,239"

Mr. Smith (Edward) stated that with the consent of the House, he would withdraw the amendment.

Mr. Shipoch moved adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 3, line 10 of Substitute House Bill No. 865, and the amendment was adopted by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Polk moved adoption of the following amendment by Representatives Polk, Paris, Brown and Flanagan:

On page 3, line 28 after "as" strike "a lagged" and insert "an"

With the consent of the House, Mr. Polk withdrew the amendment.

Mr. Pardini moved adoption of the following amendment:

On page 3, lines 31 through 33 strike "only upon approval by the legislative budget committee or its statutory successor."

With the consent of the House, Mr. Pardini withdrew the amendment.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 3, beginning on line 14 strike everything through line 34.

Mr. Smith (Edward) spoke in favor of the amendment, and Representative Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 3, line 14 of Substitute House Bill No. 865, and the amendment was adopted by the following vote: Yeas, 53; nays, 45; not voting, 0.

Voting yea: Representatives Amen, Barnes, Becker, Berentson, Blair, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Haussler, Hawkins, Hayner, Hendricks, Juelling, King, Kuehne, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Tilly, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gallagher, Gaspard, Hanna, Hansen, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randall, Seeberger, Smith R., Sommers, Thompson, Valle, Wojahn, and Mr. Speaker.

#### MOTION

Mr. Shinpoch, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representative Smith (Edward) to page 3, line 14 of Substitute House Bill No. 865 passed the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be the motion for reconsideration.

Mr. Shinpoch spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Shinpoch to reconsider the vote by which the amendment by Representative Smith (Edward) to page 3, line 14 of Substitute House Bill No. 865 passed the House, and the motion was carried by the following vote: Yeas, 50; nays, 48; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hawkins, Hayner, Hendricks, Juelling, King, Kuehne, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Sherman, Smith E. P., Tilly, Whiteside, Williams, Wilson, Zimmerman.

#### MOTION

Representative Smith (Rick), having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representative Smith (Edward) to page 2, line 32 was adopted by the House.

#### POINT OF ORDER

Mr. Pardini: "I would cite to you Reed's Rule 204, 'A question can be reconsidered only once. . . . I believe that we have reconsidered that situation once before and we are now going back the second time.'"

#### SPEAKER'S RULING

The Speaker: "Representative Pardini, we considered the language on page 2, beginning on line 17 and that's the striking language; this is the amendment regarding the increase of approximately \$2 million to the appropriation on page 2, line 32, which was not reconsidered. A motion to reconsider was not made at that time."

Representatives Smith (Rick) and Bagnariol spoke in favor of the motion, and Mr. Curtis spoke against it.

## POINT OF ORDER

Mr. Charnley: "I am still confused about the sequence of action here. We have agreed to reconsider the amendment to page 3, line 14; Representative Smith is moving to reconsider the vote on the amendment to page 2, line 32. Is that correct?"

The Speaker: "That is correct."

Mr. Charnley: "I understand that the next one was defeated so it is no longer a considered action, but the next amendment was passed and accepted by this body, 98 to 0. Reed's Rule 205 says: 'A motion to reconsider must be made on the day on which the action sought to be revised was had, and before any action has been taken by the assembly in consequence of it.' I'm interpreting this as saying that the action we took on the amendment to page 3, line 10 is action in consequence."

## SPEAKER'S RULING

The Speaker: "In reading Reed's Rule 204, it says: 'A motion to reconsider is not in order after action has been had by the assembly in consequence of the decision proposed to be reconsidered.' In checking this, we do not find that there was any action in between in direct consequence that the House's decision has made. I remember last session, when we got involved in the four-year colleges, there were a series of actions that were in consequence of one and we had to back up through them all. On this one, since it is a separate subject matter, the Speaker is ruling that it is not in consequence; that it is in a separate section and is a separate subject matter in that it is handling different funds."

Mr. Smith (Rick) spoke again in favor of the motion for reconsideration, and Representatives Curtis and Douthwaite spoke against it.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Perry: "Is it proper to address an amendment to a bill that's been indefinitely postponed?"

## SPEAKER'S RULING

The Speaker: "Representative Perry, I think that technically any bill in committee is still before the body. Even though the particular committee might have indefinitely postponed it, that bill is still before the body and I think that it would be subject to argument if it is relevant, and in this particular case, I guess it's relevant—talking about business taxes versus student taxes."

Mr. Newhouse spoke against the motion to reconsider.

## POINT OF INQUIRY

Mr. Newhouse refused to yield to question by Mr. Hurley (George).

## POINT OF PARLIAMENTARY INQUIRY

Mr. Perry: "I know that you ruled that the bill is still alive, but I wonder if, from here on in is it proper to write a contingency amendment on a measure which is not before us but in the committee and to assign money that's in one individual statute? I can't quite understand how one act shall deal with one subject matter and we appropriate money on a contingency basis on an act which is neither before us or passed. I can't understand how this is done. Could you tell me how you can earmark money out of a yet unpassed statute, and without any reference to what's within that statute?"

The Speaker: "The Speaker has not yet ruled on that particular proposition. When the matter is before me, if the point of order is raised, then we will have to approach it at that time."

The Speaker stated the question before the House to be the motion to reconsider the vote by which the amendment by Representative Smith (Edward) to page 2, line 32 passed the House.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the amendment to page 2, line 32 of Substitute House Bill No. 865, passed the House, and the motion was not carried by the following vote: Yeas, 45; nays, 53; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gallagher, Gaspard, Hansen, Haussler, Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hanna, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Juelling, King, Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Moreau, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Sherman, Smith E. P., Tilly, Whiteside, Williams, Wilson, Zimmerman.

The Speaker stated the question before the House to be reconsideration of the vote by which the amendment by Representative Smith (Edward) to page 3, line 14 passed the House.

Mr. Shinpoch spoke in opposition to adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on the reconsideration of the vote by which the House adopted the amendment by Representative Smith (Edward) to page 3, line 14 of Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51; not voting, 0.

Voting yea: Representatives Amen, Barnes, Becker, Berentson, Blair, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Juelling, King, Kuehnle, Leckenby, Lee, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Smith E. P., Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randall, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 3, line 35 strike "5,679,073" and insert "8,846,533"

Representatives Smith (Edward), Charnley and Moon spoke in favor of the amendment, and Representatives Shinpoch and Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 3, line 35 of Substitute House Bill No. 865, and the amendment was adopted by the following vote: Yeas, 50; nays, 48; not voting, 0.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Juelling, King, Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Sherman, Smith E. P., Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fortson, Gallagher, Gaspard, Hanna, Hansen, Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Mr. Curtis moved adoption of the following amendment:

On page 4, line 7 after "at" strike "72" and insert "75"

Representatives Curtis, Polk and King spoke in favor of the amendment, and Representatives Bagnariol and Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Curtis to page 4, line 7 of Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 48; nays, 50; not voting, 0.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Flanagan, Freeman, Gaines, Gilleland, Greengo, Hansey, Haussler, Hawkins, Hayner, Hendricks, Juelling, King, Kuehnle, Leckenby, Lee, Lysen, Matthews, McKibbin, Moon, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Sherman, Smith E. P., Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman.



Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Blair, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Haley, Hanna, Hansen, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moreau, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Wojahn, and Mr. Speaker.

Mr. Charnley moved adoption of the following amendment:

On page 4, strike lines 7 and 8 and insert "at 80% of"

Mr. Charnley spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Charnley to page 4, lines 7 and 8 of Substitute House Bill No. 865, and the amendment failed to pass by the following vote: Yeas, 17; nays, 81; not voting, 0.

Voting yea: Representatives Bauer, Brown, Charnley, Cochrane, Douthwaite, Gaines, Hawkins, Jueling, King, Laughlin, Lee, Matthews, Moon, Nelson, Peterson, Smith E. P., Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Grengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Kuehnle, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 4, beginning on line 3 strike everything through line 13.

Representatives Smith (Edward), Flanagan, King and Charnley spoke in favor of the amendment, and Representatives Charette and Shinpoch spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Smith (Edward) to page 4, line 3 of Substitute House Bill No. 865, and the amendment was adopted by the following vote: Yeas, 50; nays, 48; not voting, 0.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Blair, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gilleland, Grengo, Haley, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jueling, King, Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Smith E. P., Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hansen, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randall, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 4, line 15 strike "7,730,987" and insert "8,319,245"

Mr. Smith (Edward) spoke in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 4, line 15 of Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 34; nays, 64; not voting, 0.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Blair, Boldt, Brown, Chandler, Charnley, Cochrane, Douthwaite, Flanagan, Gaines, Hanna, Hansey, Haussler, Hawkins, Hurley G. S., Jueling, King, Leckenby, Lysen, Matthews, Moon, Nelson, Pardini, Peterson, Savage, Schumaker, Sherman, Smith E. P., Warnke, Williams, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bond, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Grengo, Haley, Hansen, Hayner, Hendricks, Hurley M., Jastad, Kalich, Kilbury, Knowles, Kuehnle, Laughlin, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Wilson, Wojahn, and Mr. Speaker.

The Clerk read the following amendment by Representative Smith (Edward):

On page 4, line 18 strike "1,876,828" and insert "1,210,450"

With the consent of the House, Mr. Smith (Edward) withdrew the amendment.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 4, line 19 strike "72" and insert "75"

Mr. Smith (Edward) spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 4, line 19 of Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 27; nays, 71; not voting, 0.

Voting yea: Representatives Barnes, Bender, Berentson, Boldt, Brown, Charnley, Cochrane, Curtis, Douthwaite, Gaines, Hanna, Haussler, Hawkins, Hurley G. S., King, Kuehnle, Leckenby, Lee, Matthews, Moon, Nelson, Peterson, Savage, Sherman, Smith E. P., Williams, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Blair, Bond, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Schumaker, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

#### MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Wednesday, April 9, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**TWENTY-SEVENTH DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Wednesday, April 9, 1975.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Midge Brown and Richard Salisbury. Prayer was offered by the Reverend Arthur I. Anderson of Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

April 8, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2077,  
 SENATE BILL NO. 2109,  
 SENATE BILL NO. 2114,  
 SUBSTITUTE SENATE BILL NO. 2123,  
 ENGROSSED SENATE BILL NO. 2173,  
 REENGROSSED SENATE BILL NO. 2306,  
 SENATE BILL NO. 2310,  
 ENGROSSED SENATE BILL NO. 2334,  
 ENGROSSED SENATE BILL NO. 2341,  
 ENGROSSED SENATE BILL NO. 2348,  
 ENGROSSED SENATE BILL NO. 2393,  
 SUBSTITUTE SENATE BILL NO. 2427,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 2079 and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

**INTRODUCTION AND FIRST READING**

ENGROSSED SENATE BILL NO. 2077, by Senators Knoblauch, Wanamaker, Rasmussen and Goltz:

Fixing the compensation of jurors.

To Committee on Judiciary

SENATE BILL NO. 2109, by Senators Donohue and Walgren (by Department of Motor Vehicles request):

Requiring the deposit of application and inspection fees in the motor vehicle fund.

To Committee on Transportation and Utilities

SENATE BILL NO. 2114, by Senator Francis:

Authorizing the office of judicial officer in municipal courts of cities of more than four hundred thousand inhabitants.

To Committee on Judiciary

**SUBSTITUTE SENATE BILL NO. 2123**, by Committee on Education (Originally sponsored by Senators von Reichbauer, Murray, Ridder and Washington – by Superintendent of Public Instruction request):

Authorizing cancellation of certain school district warrants after one year from their call or issue.

To Committee on Education

**ENGROSSED SENATE BILL NO. 2173**, by Senators Francis, Clarke and Woody (by Judicial Council request):

Permitting annual conference of superior court judges to be held in Canada or an adjoining state.

To Committee on Judiciary

**REENGROSSED SENATE BILL NO. 2306**, by Senators Day and Jones:

Revising the law relating to usury.

To Committee on Financial Institutions

**SENATE BILL NO. 2310**, by Senator Woody:

Providing for paying savings and loan accounts to foreign executors in the same manner as for other banks.

To Committee on Financial Institutions

**ENGROSSED SENATE BILL NO. 2334**, by Senators Francis, Bottiger, Woody and Clarke:

Amending the laws relating to corporations.

To Committee on Judiciary

**ENGROSSED SENATE BILL NO. 2341**, by Senators Bottiger, Beck and Matson (by Utilities and Transportation Commission request):

Making certain changes in the laws relating to public service companies.

To Committee on Transportation and Utilities

**ENGROSSED SENATE BILL NO. 2348**, by Senators Walgren, Guess, Knoblauch and Beck:

Requiring cities, towns and counties to report to director of highways on plans for bicycle, pedestrian and equestrian expenditures.

To Committee on Transportation and Utilities

**ENGROSSED SENATE BILL NO. 2393**, by Senators Peterson, Lewis (Harry) and Rasmussen:

Authorizing the director of game to open, close, shorten or reopen seasons by his order.

To Committee on Natural Resources

**SUBSTITUTE SENATE BILL NO. 2427**, by Committee on Natural Resources (Originally sponsored by Senators Peterson, Lewis (Bob) and Rasmussen):

Regulating the disposal of hatchery fish by the department of fisheries.

To Committee on Natural Resources

#### MOTION

On motion of Mr. Thompson, all bills listed on today's agenda were referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

April 8, 1975

**HOUSE BILL NO. 441**, Prime Sponsor: Representative Thompson, amending the Environmental Coordination Procedures Act of 1973. Reported by Committee on Ecology.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, at the beginning of line 16 strike "full, close, and complete" and insert "close"

On page 3, line 32 after "included as a" strike "result" and insert "part"

On page 6, line 8 after "(1)" strike "No ((master))" and insert "((No master)) Except as provided in RCW 90.62.040(4), no"

On page 6, line 9 after "90.62.040" strike "(4)"

Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Bauer, Becker, Chandler, Charnley, Deccio, Douthwaite, Flanagan, Gallagher, Hansen, Hawkins, Wilson, Zimmerman.

To Committee on Rules for second reading.

April 7, 1975

HOUSE BILL NO. 575, Prime Sponsor: Representative Wojahn, permitting embargo of hazardous household substances. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following line 20 add a new section to read as follows:

"Sec. 2. Section 13, chapter 49, Laws of 1974 ex. sess. and RCW 70.106.130 are each amended to read as follows:

For the purpose of carrying out the provisions of this chapter the director shall, within one hundred eighty days of July 24, 1974, appoint a technical advisory committee and appoint a chairman thereof, said committee to consist of one representative from each of the following:

- (1) The secretary of the department of social and health services;
- (2) The pharmacy board;
- (3) A hospital specializing in child welfare and poison care;
- (4) The packaging closures industry;
- (5) University of Washington medical school;
- (6) University of Washington school of pharmacy;
- (7) A specialist in pesticide and chemical handling and control from Washington State University;
- (8) The public;
- (9) The dairy and food division of the department of agriculture; and
- (10) A member of the Washington state society of pediatrics or its designee.

Members of the technical advisory committee who are not ~~((regular full-time employees of))~~ otherwise compensated therefor by a public agency or institution shall receive twenty-five dollars per diem for each day or major portion thereof plus reimbursement for actual travel expenses incurred in the performance of their duties in the same manner as provided for state officials generally in chapter 43.03 RCW as now or hereafter amended."

On page 1, line 2 of the title after "70.106.010;" strike "and" and on line 4 after "RCW" insert "; and amending section 13, chapter 49, Laws of 1974 ex. sess. and RCW 70.106.130"

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Dunlap, Gaines, Greengo, Kuehnle, Wojahn.

To Committee on Rules for second reading.

April 7, 1975

HOUSE BILL NO. 866, Prime Sponsor: Representative Shinpoch, relating to appropriations. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Subcommittee Chairman, Appropriations; Randall, Subcommittee Chairman, Revenue; Bausch, Boldt, Charette, Chatalas, Ehlers, Erickson, Gaspard, Hurley (George), Hurley (Margaret), Kilbury, Luders, McKibbin, North, Smith (Edward), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

April 7, 1975

SUBSTITUTE SENATE BILL NO. 2183, Prime Sponsor: Senator Day, Providing for the establishment of fees for businesses and professions. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Dunlap, Gaines, Greengo, Kuehnle, Wojahn.

To Committee on Rules for second reading.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 865, by Committee on Ways and Means - Appropriations (Originally sponsored by Representatives Shinpoch and Bagnariol):

Adopting a budget for the community colleges.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

Mr. Nelson moved adoption of the following amendments:

On page 4, line 18 strike "\$1,876,828" and insert "\$2,018,121"

On page 4, line 25 after "Centralia" insert ", Edmonds"

Mr. Nelson spoke in favor of the amendments and Mr. Shipoch spoke against them.

Mr. Nelson spoke again in favor of the amendments.

Mr. Pardini demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Kalich.

#### MOTION

On motion of Mr. Pardini, the absent member was excused, and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the amendments by Representative Nelson to Substitute House Bill No. 865.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Nelson to page 4 of Substitute House Bill No. 865, and the amendments were not adopted by the following vote: Yeas, 24; nays, 73; not voting, 1.

Voting yea: Representatives Berentson, Brown, Chandler, Curtis, Dunlap, Fischer, Flanagan, Freeman, Gilleland, Hansey, Hawkins, King, Leckenby, Lee, Matthews, Moon, Nelson, Pardini, Patterson, Polk, Schumaker, Smith E. P., Tilly, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson; Wojahn, Zimmerman.

Not voting: Representative Kalich.

Mr. Kalich appeared at the bar of the House.

The Clerk read the following amendment by Representatives Polk, Paris, Brown and Flanagan:

On page 4, line 28 after "as" strike "a lagged" and insert "an"

With the consent of the House, Mr. Polk withdrew the amendment.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 4, beginning on line 27 strike all material down to and including, "act." on line 34.

Mr. Smith (Edward) spoke in favor of the amendment, and Mr. Bagnariol spoke in opposition to it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Edward) to page 4, line 27 of Substitute House Bill No. 865, and the amendment was adopted by the following vote: Yeas, 51; nays, 47; not voting, 0.

Voting yea: Representatives Amen, Barnes, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hawkins, Hayner, Hendricks, Juelling, King, Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Smith E. P., Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler,

Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randall, Seeberger, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Mr. Charnley moved adoption of the following amendment:

On page 4, following line 34 add the following:

"It is the intent of the legislature that any program of professional training for registered nurses, dental hygienists and dental assistants shall be funded at 100% of formula entitlement."

Representative Charnley spoke in favor of the amendment, and Representatives King, Shipoch, Flanagan, Bagnariol and Pardini spoke against it.

Mr. Charnley spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charnley to page 4, line 34 of Substitute House Bill No. 865, and the amendment was not adopted by the following vote: Yeas, 17; nays, 81; not voting, 0.

Voting yea: Representatives Bender, Brown, Chandler, Charnley, Clemente, Cochrane, Conner, Douthwaite, Gaines, Haley, Leckenby, Lysen, Matthews, Nelson, Peterson, Warnke, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Berentson, Blair, Boldt, Bond, Ceccarelli, Charette, Chatalas, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnl, Laughlin, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Smith (Edward) moved adoption of the following amendment:

On page 4, line 35 strike "113,950,637" and insert "120,915,034"

Representatives Smith (Edward), Polk, Bond, Eikenberry, Peterson, Charnley and King spoke in favor of the amendment, and Representatives Bagnariol, Hurley (George), Haussler and Shipoch spoke against it.

Mr. Charnley spoke again in favor of the amendment, and Mr. Bagnariol again spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Smith (Edward) to page 4, line 35 of Substitute House Bill No. 865, and the amendment was adopted by the following vote: Yeas, 51; nays, 47; not voting, 0.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hawkins, Hayner, Hendricks, Jueling, King, Kuehnl, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Smith E. P., Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randall, Seeberger, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

The Clerk read the following amendment by Representative Smith (Edward):

On page 4, beginning on line 36 strike all of section 10 and renumber the following sections consecutively.

With the consent of the House, Mr. Smith withdrew the amendment.

Substitute House Bill No. 865 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 864, by Representatives Bagnariol and Shipoch:

Relating to appropriations.

The bill was read the second time.

On motion of Mr. Shipoch, Substitute House Bill No. 864 was substituted for House Bill No. 864, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 864 was read the second time.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

#### MOTIONS

On motion of Mr. Thompson, the House dispensed with further business under the Call of the House.

On motion of Mr. Thompson, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

#### MESSAGE FROM THE SENATE

April 8, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2021,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:  
SENATE BILL NO. 2021.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker (Mr. O'Brien presiding) called the House to order.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 864, by Committee on Ways and Means - Appropriations (Originally sponsored by Representatives Bagnariol and Shinpoch):

Adopting a budget for the institutions of higher education.

The House resumed consideration of the bill on second reading.

Mr. Leckenby moved adoption of the following amendment:

On page 1, line 28 strike "16,618,808" and insert "15,618,808"

Mr. Leckenby spoke in favor of the amendment, and Representatives Bagnariol and Pardini spoke against it.

Mr. Leckenby spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite and Eng:

On page 2, line 17 following "act" insert ": PROVIDED, That the University of Washington Educational Opportunity Program may be funded from the student services program in an amount not to be less than \$1,999,310"

Representatives Douthwaite and Eng spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Eng, in the Governor's budget this item was \$1,608,541 and I see by the amendment that you have upped that by another \$391,000. Would you explain the rationale for that?"

Mr. Eng: "I called the OP program and I talked to one of the gentlemen who was down here and he said that this is the amount needed to see to it that the program is funded properly for this coming biennium in relation to the increased enrollment."



Mr. Shinpoch spoke in opposition to the amendment, and Mr. Douthwaite spoke in favor of it.

On motion of Mr. Shinpoch, the following amendment to the amendment by Representatives Douthwaite and Eng was adopted:

Strike "1,999,310" and insert "1,608,541"

Mr. Shinpoch spoke in favor of the amendment as amended.

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Douthwaite and Eng as amended to Substitute House Bill No. 864, and the amendment was adopted by the following vote: Yeas, 66; nays, 31; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Kilbury, King, Knowles, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Berentson, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Haley, Hansey, Hayner, Hurley M., Jastad, Jueling, Kuehnle, Laughlin, Lee, Matthews, May, McKibbin, Nelson, Newhouse, Pardini, Polk, Schumaker, Seeberger, Thompson, Tilly, Whiteside.

Not voting: Representative Kalich.

The Clerk read the following amendment by Representatives Douthwaite and Eng:

On page 2, line 18 strike "\$6,795,553" and insert "\$7,172,516"

With the consent of the House, Mr. Douthwaite withdrew the amendment.

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite and Blair:

Beginning on page 3, line 30 strike all material down to and including "faculty member." on page 4, line 22.

Mr. Douthwaite spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mrs. Hurley (Margaret).

Mrs. Hurley (Margaret): "Isn't this ratio provision that we have in the present budget bill also a floor as well as a ceiling? Aren't there some classes that are much smaller in ratio of students to teacher than what you have in the budget?"

Mr. Shinpoch: "Actually, we talked to someone from each of the six institutions and it is an institution average for the level of course. If you looked at 600/700 level courses the ratio is 7 FTE students to one full-time equivalent faculty member for highest cost areas. It is an institution level."

Mrs. Hurley: "It wouldn't eliminate then the real small classes where one teacher instructs maybe five or six?"

Mr. Shinpoch: "No, I suspect that if you had three sections of a class and you had sixty students, you could conceivably wind up having ten in one class and twenty-five in two others. You could still meet the system average."

Mr. Blair spoke in favor of the amendment.

### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Polk.

Mr. Polk: "Representative Shinpoch, the question seems to recur about the purpose of having these ratios inserted in the bill. I would call your attention to section 2, line 20 which states, '... the following authorizations and conditions which shall be strictly construed.' Is it your interpretation therefore of the insertion of these ratios that the institution must maintain an average in those course offerings to meet exactly those ratios?"

Mr. Shinpoch: "I think the answer to your question, very simply, is that the colleges have said that this is what they require and this is their spending plan. We are saying 'If you told

us the truth, and that's really your spending plan, then here it is, in black and white for anybody to read.' You can interpret that out of it, that was not the original intent, but I think it's a good one. I think it's about time that they stood up and said 'Yes, that is our plan; what we told you we are going to do with it and what we told you that we needed at three and four level classes, six and seven level classes, that's really what we are going to spend it on. We are not going to ask for it in one place and spend it in another.' I think the end result turned out to be very good and I would suggest that is what we should be doing. If they tell us that they are going to spend it in one place, then I think they should spend it there. I don't think they should be telling us one thing and doing something else."

Mr. Peterson spoke in favor of the amendment, and Mr. Shipchop spoke against it.

Mrs. Hurley (Margaret) demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Douthwaite and Blair to page 3, line 30 of Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 29; nays, 64; not voting, 5.

Voting yea: Representatives Amen, Berentson, Blair, Brown, Chandler, Charnley, Cochrane, Flanagan, Greengo, Hansey, Hawkins, Hendricks, Hurley G. S., King, Leckenby, Lee, Matthews, Moon, Nelson, Newhouse, Paris, Patterson, Peterson, Polk, Smith E. P., Valle, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Haussler, Hayner, Hurley M., Jastad, Jueling, Kilbury, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Pardini, Parker, Savage, Seeberger, Sherman, Shipchop, Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wojahn, and Mr. Speaker.

Not voting: Representatives Eikenberry, Kalich, Perry, Randall, Schumaker.

Mr. Douthwaite, having voted on the prevailing side, moved that the House do now reconsider the vote by which the Douthwaite/Blair amendment to page 3, line 30 of Substitute House Bill No. 864 failed to pass the House.

The Speaker assumed the Chair.

Representatives Douthwaite, Peterson and Nelson spoke in favor of the motion, and Mr. Bagnariol spoke against it.

#### POINT OF INQUIRY

Mr. Shipchop refused to yield to question by Mr. Douthwaite.

Mr. Charnley spoke in favor of the motion to reconsider.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Douthwaite that the House reconsider the vote by which the Douthwaite/Blair amendment to page 3, line 30 of Substitute House Bill No. 864 failed to pass the House, and the motion was lost by the following vote: Yeas, 41; nays, 54; not voting, 3.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Brown, Chandler, Charnley, Cochrane, Curtis, Douthwaite, Eng, Flanagan, Gaines, Greengo, Hanna, Hansey, Hawkins, Hendricks, King, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Randall, Sherman, Smith R., Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Charette, Chatalas, Clemente, Conner, Deccio, Dunlap, Ehlers, Erickson, Fischer, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Haley, Hansen, Haussler, Hayner, Hurley G. S., Hurley M., Jastad, Jueling, Kilbury, Knowles, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Savage, Schumaker, Seeberger, Shipchop, Smith E. P., Sommers, Thompson, Wojahn, and Mr. Speaker.

Not voting: Representatives Eikenberry, Kalich, Perry.

On motion of Mr. Shipchop, the following amendment was adopted:

On page 5, line 13 strike "\$6,828,500" and insert "\$7,700,000"

Mr. Bond moved adoption of the following amendment:

On page 5, line 21 strike "2,528,640" and insert "2,328,640"

Representatives Bond and Hansen spoke in favor of the amendment, and Representatives Bagnariol and Blair spoke against it.

Mr. Bond spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to page 5, line 21 of Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 25; nays, 71; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Haley, Hansen, Hansey, Hayner, Kuehnle, Lee, Matthews, Nelson, Newhouse, Paris, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Ceccarelli, Chandler.

The Clerk read the following amendment by Mr. Douthwaite:

Beginning on page 7, line 25 strike all material down to and including "faculty member." on page 8, line 17.

With the consent of the House, Mr. Douthwaite withdrew the amendment.

Mr. Patterson moved adoption of the following amendment:

On page 8, line 26 strike "33,907,509" and insert "34,252,063"

Mr. Patterson spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Patterson yielded to question by Mr. Berentson.

Mr. Berentson: "The way the amendment is worded there really isn't any reason to believe that this would earmark or take care of the problem that you are concerned about—the cost of agriculture. Could you comment on that?"

Mr. Patterson: "I recognize that, Representative Berentson. It's the only place—it's in the instructional budget. I hope that my remarks and the information that has been submitted by OPP&FM would indicate to the universities that the purpose of this amendment and the addition of these funds are to be used in the stacking formula for the college of agriculture."

Mr. Berentson: "You are depending on the discussion here on the floor to indicate legislative intent?"

Mr. Patterson: "That is right."

Mr. Patterson spoke again in favor of the amendment, and Representatives Shipoch and Bagnariol spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Patterson to page 8, line 26 of Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Amen, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Douthwaite, Flanagan, Gallagher, Hansey, Haussler, Hayner, Hurley G. S., Jastad, Jueling, Kilbury, Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Perry, Randall, Schumaker, Seeberger, Smith E. P., Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hawkins, Hendricks, Hurley M., Kalich, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Peterson, Polk, Savage, Sherman, Shipoch, Smith R., Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Ceccarelli, King, Sommers.

Mr. Amen moved adoption of the following amendment by Representatives Amen, Patterson and Newhouse:

On page 9, line 14 strike "12,077,900" and insert "12,577,900"

Representatives Amen, Patterson, Kilbury and Deccio spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Amen spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Amen, Patterson and Newhouse to page 9, line 14 of Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Amen, Bausch, Becker, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charette, Cochrane, Curtis, Deccio, Eikenberry, Erickson, Flanagan, Gallagher, Gaspard, Gilleland, Greengo, Hansen, Hansey, Haussler, Hawkins, Hayner, Jastad, Jueling, Kalich, Kilbury, Kuehnle, Leckenby, Lee, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Perry, Schumaker, Seeberger, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bender, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Eng, Fischer, Fortson, Freeman, Haley, Hanna, Hendricks, Hurley G. S., Hurley M., Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Peterson, Polk, Randall, Savage, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Williams, Wojahn.

Not voting: Representatives Gaines, King.

#### MOTION FOR RECONSIDERATION

Mr. Polk, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representatives Amen, Patterson and Newhouse to Substitute House Bill No. 864 failed to pass the House.

Representatives Polk, Patterson and Kilbury spoke in favor of the motion, and Mr. Eng spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Polk to reconsider the vote by which the Amen/Patterson/Newhouse amendment to Substitute House Bill No. 864 failed to pass the House, and the motion was carried by the following vote: Yeas, 51; nays, 46; not voting, 1.

Voting yea: Representatives Adams, Amen, Becker, Berentson, Blair, Bond, Brown, Chandler, Charette, Cochrane, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Kilbury, King, Kuehnle, Leckenby, Lee, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Perry, Polk, Schumaker, Seeberger, Smith E. P., Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Douthwaite, Eng, Fortson, Gaines, Gallagher, Haley, Hanna, Hurley G. S., Jastad, Jueling, Kalich, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Peterson, Randall, Savage, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Williams, Wojahn.

Not voting: Representative Hurley M.

The Speaker stated the question before the House to be reconsideration of the amendment by Representatives Amen, Patterson and Newhouse to page 9, line 14 of Substitute House Bill No. 864.

Representatives Curtis, Kilbury and Amen spoke in favor of the amendment, and Mr. Hurley (George) spoke against it.

#### ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representatives Amen, Patterson and Newhouse to page 9, line 14 of Substitute House Bill No. 864, and the amendment was adopted by the following vote: Yeas, 63; nays, 35; not voting, 0.

Voting yea: Representatives Adams, Amen, Barnes, Becker, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charette, Charnley, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Gaines, Gallagher, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Leckenby, Lee, Martinis, Matthews, Moon, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Schumaker, Seeberger, Sherman, Smith E. P., Thompson, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Chatalas, Clemente, Douthwaite, Eng, Fortson, Freeman, Greengo, Haley, Hanna, Hurley G. S., Hurley M., Jueling, Laughlin, Luders, Lysen, Maxie, May, McCormick, McKibbin, Moreau, North, Peterson, Randall, Savage, Shipoch, Smith R., Sommers, Valle, Williams, Wojahn.

MOTION

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Thursday, April 10, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-EIGHTH DAY

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MORNING SESSION

---

House Chamber, Olympia, Wash., Thursday, April 10, 1975.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kristen Newhouse and Clark Coler. Prayer was offered by Representative Conner.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

April 9, 1975

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2507,  
SENATE BILL NO. 2608,  
SENATE BILL NO. 2609,  
ENGROSSED SENATE BILL NO. 2619,  
ENGROSSED SENATE BILL NO. 2647,  
ENGROSSED SENATE BILL NO. 2663,  
SENATE BILL NO. 2861,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2507, by Committee on Local Government (Originally sponsored by Senators Henry, Bluechel and North—by Secretary of State request):

Designating office of program planning and fiscal management as recipient of certificate of annexation.

To Committee on Local Government

SENATE BILL NO. 2608, by Senators Goltz, North and Washington:

Revising fiscal regulation of activated air pollution authorities.

To Committee on Ecology

SENATE BILL NO. 2609, by Senator Walgren:

Limiting the number of copies of Washington state statutes that a county must keep on file.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2619, by Senators Day, Buffington and McDermott:

Providing a state-wide medical education system for family practice training.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2647, by Senators Beck and Walgren:

Providing for transfer of state land to Kitsap county.

To Committee on Natural Resources

ENGROSSED SENATE BILL NO. 2663, by Senators North and McDermott:

Permitting conditional licensing of alien physicians for work in county or city health departments.

To Committee on Social and Health Services

SENATE BILL NO. 2861, by Committee on Higher Education:

Exempting certain educational housing from provisions relating to unfair discrimination or as affecting civil rights.

To Committee on Judiciary

MOTION

On motion of Mr. Thompson, all bills listed on today's agenda were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

April 7, 1975

HOUSE BILL NO. 91, Prime Sponsor: Representative Fischer, enacting a hazardous substance act. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Dunlap, Gaines, Greengo, Kuehnle, Wojahn.

To Committee on Rules for second reading.

April 9, 1975

HOUSE BILL NO. 154, Prime Sponsor: Representative Nelson, revising regulations on charitable solicitation. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, strike all of line 18 and insert "~~((among the members thereof by other members or officers thereof;))~~"

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Dunlap, Gaines, Greengo, Kuehnle, O'Brien.

To Committee on Rules for second reading.

April 9, 1975

HOUSE BILL NO. 449, Prime Sponsor: Representative Bender, authorizing housing authorities to purchase mortgage loans. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Cochrane, Fischer, Lee, Paris, Whiteside, Wilson.

To Committee on Rules for second reading.

April 9, 1975

HOUSE BILL NO. 612, Prime Sponsor: Representative Gallagher, revising laws relating to accountants. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 15 after "permit" insert "PROVIDED, That in the case of a partnership or corporation the permit shall expire on June 30 of each year"

Signed by Representatives Warnke, Chairman; Jastad Vice Chairman; Ceccarelli, Gaines, Greengo, Kuehnle, O'Brien.

To Committee on Rules for second reading.

April 9, 1975

HOUSE BILL NO. 721, Prime Sponsor: Representative Zimmerman, revising laws relating to county solid waste collection and disposal. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Cochrane, Fischer, Lee, Paris, Whiteside, Zimmerman.

To Committee on Rules for second reading.

April 8, 1975

HOUSE BILL NO. 762, Prime Sponsor: Representative North, establishing winter recreational parking. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hurlley (Margaret), Chairwoman; Gaines, Vice Chairman; Lee, North, Paris, Peterson, Randall, Seeberger.

To Committee on Rules for second reading.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 864, by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol and Shinpoch):

Adopting a budget for the institutions of higher education.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Mr. Moreau moved adoption of the following amendment:

On page 10, line 24 strike "\$3,276,500" and insert "\$3,561,500"

Representatives Moreau and Shinpoch spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Moreau to Substitute House Bill No. 864, and the amendment was adopted by the following vote: Yeas, 73; nays, 14; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Perry, Peterson, Randall, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Curtis, Deccio, Flanagan, Gilleland, Greengo, Hurley M., Matthews, Maxie, Newhouse, Polk, Schumaker, Seeberger, Whiteside, Wilson.

Not voting: Representatives Blair, Charnley, Eng, Hurlley G. S., Jueling, Kuehnle, Lee, Lysen, Parker, Patterson, Tilly.

Ms. Becker moved adoption of the following amendment by Representatives Becker, Conner and Moreau:

On page 12, after line 10, following section 33 add a new section as follows:

"NEW SECTION. Sec. 34. For Western Washington State College - For the Extension and Public Service Program

For the Fairhaven Bridge Program

General Fund Appropriation ..... \$80,000"

Renumber the following sections consecutively.

Ms. Becker spoke in favor of the amendment, and Mr. Pardini spoke against it.

Mr. Conner spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Becker, Conner and Moreau to Substitute House Bill No. 864, and the amendment was adopted by the following vote: Yeas, 55; nays, 37; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Ehlers, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurlley M., Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, May, McCormick, Moon, Moreau, North, O'Brien, Paris, Perry, Savage, Sherman, Shinpoch, Smith E. P., Thompson, Valle, Warnke, Williams, Wojahn.



Voting nay: Representatives Amen, Barnes, Bond, Chandler, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gilleland, Greengo, Hayner, Hendricks, Jastad, Kuehnle, Matthews, Maxie, McKibbin, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Randall, Schumaker, Seeberger, Smith R., Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Jueling, Lee, Lysen, Martinis, Parker, and Mr. Speaker.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey, Becker and Berentson:

On page 12, line 14 after "General Fund Appropriation" strike "\$15,000" and insert "\$85,180"

Mr. Hansey spoke in favor of the amendment, and Mr. Smith (Rick) spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hansey, Becker and Berentson to Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 11; nays, 80; not voting, 7.

Voting yea: Representatives Becker, Berentson, Blair, Conner, Hansey, Kalich, May, Moon, Moreau, Savage, Smith E. P..

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Matthews, Maxie, McCormick, McKibbin, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn.

Not voting: Representatives Jueling, Lee, Lysen, Martinis, Parker, Zimmerman, and Mr. Speaker.

Mr. Hansen moved adoption of the following amendment by Representatives Hansen, Tilly and Flanagan:

On page 15, section 40, line 3 strike all material on line 3 and insert the following:

"General Fund Appropriation:

PROVIDED, That \$250,000 of these funds shall be used for conversion of existing data processing systems from their current environment to a joint utilization of other shared state data processing resources ..... \$1,413,100"

Representatives Hansen and Flanagan spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Bagnariol, this amendment is presented to us—that we should expend this \$250,000 to convert a data processing system. What would happen if this amendment were not adopted?"

Mr. Bagnariol: "We would probably delay it for a biennium."

Mr. Pardini: "Delay it for a biennium? In other words, it's conceivable in the biennium versus an expenditure now of \$250,000. One of the difficult things that I have with this particular amendment is that, in converting a computer or a data processing system, why we would have to expend another \$250,000 to eliminate one. I understand that some programs have to be rewritten; many of the programs have to be rewritten to fit into the new one and adapt to the computer language, but it just seems to me that somewhere along the line there ought to be a cost savings by closing down a data processing system and putting it on the other system. That's the intent of some legislation—the data processing bills that we have kicking around here. I think I'm going to be inclined to vote no until I can get a little better explanation on this."

Mr. Bagnariol: "I will yield to Representative Shipoch. I think he can clear up your confusion."

Mr. Shipoch: "When you go from an older system into a data basis system that will be working off the terminals—Central is the first of the higher education institutions to have this computer and go into a consolidated system—when you change from one system to another system and go from second generation to third, then it is necessary that you go to a conversion of your program. You are using an entirely different approach; you must convert the programs in order to do that. It was my understanding originally that this was included in the data processing authorities budget, and that's where I would really have expected to see it,

but my current understanding is that it is not. It doesn't really matter which one it is shown in as long as the job gets accomplished."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hansen, Tilly and Flanagan to page 15 of Substitute House Bill No. 864, and the amendment was adopted by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Bausch, Becker, Blair, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Fischer, Flanagan, Fortson, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hayner, Hendricks, Jastad, Jueling, Kalich, Kilbury, King, Knowles, Lee, Luders, Matthews, May, McCormick, Moon, Moreau, North, O'Brien, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman.

Voting nay: Representatives Barnes, Bauer, Bender, Berentson, Boldt, Bond, Cochrane, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Freeman, Gaines, Gaspard, Hansey, Hawkins, Hurley G. S., Hurley M., Kuehnle, Laughlin, Leckenby, Maxie, McKibbin, Nelson, Newhouse, Pardini, Paris, Schumaker, Sommers, Williams, Wilson.

Not voting: Representatives Lysen, Martinis, and Mr. Speaker.

Mr. Bond moved adoption of the following amendment:

On page 16, line 10 after section 44 add a new section as follows:

"NEW SECTION. Sec. 45. FOR EASTERN WASHINGTON STATE COLLEGE — FOR THE EXTENSION AND PUBLIC SERVICES PROGRAM

For lease of necessary building space

General Fund Appropriation ..... \$50,000"

Renumber the remaining sections consecutively.

Mr. Bond spoke in favor of the amendment, and Mr. Shipoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 4; nays, 91; not voting, 3.

Voting yea: Representatives Bond, Kuehnle, Pardini, Paris.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Lysen, Martinis, and Mr. Speaker.

Mr. Luders moved adoption of the following amendment by Representatives Shipoch, Luders and May:

On page 17, section 46, line 27 strike "13,874,190" and insert "14,005,907"

Representatives Luders and Shipoch spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Shipoch, Luders and May to page 15 of Substitute House Bill No. 864, and the amendment was adopted by the following vote: Yeas, 59; nays, 39; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Bausch, Becker, Blair, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Perry, Randall, Sherman, Shipoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Bender, Berentson, Boldt, Bond, Cochrane, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Kuehnle, Leckenby, Lee, Matthews, Maxie, McKibbin, Nelson, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sommers, Tilly, Whiteside, Wilson, Wojahn.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle, Gilleland, Schumaker, Jueling, Flanagan, Bond, Pardini, Hayner, Patterson, Freeman and Kalich:

On page 18, section 50, following line 8 insert:

"The trustees of the college, from the funds appropriated by this section, and in order for the legislature to accurately evaluate appropriate funding for the next ensuing biennium, shall present to the respective house and senate ways and means committees at the next session of the legislature, whether special or regular, a report, implemented by proper evidence for its findings, of the current objectives of its educational program and how such objectives are being met: such a report shall emphasize the trustees evaluation of the merits of the existing program in light of the cost per pupil and in light of the projected demand for facilities for higher education in the state of Washington. Such a report shall evaluate the competency and balance of its academic staff, the general atmosphere for academic pursuit on the college campus, the presently employed methods for assessing individual progress, and the preparation of its students as candidates for enrollment into accredited graduate programs or eligibility for employment to which those students seek acceptance. Such a report shall further include a measurement of the degree of cooperation with and acceptance by the local community of those programs designed to precipitate student-citizen participation and providing for the continuing educational needs of the adult population. The report shall further endeavor to measure the extent to which the college has satisfied the higher education needs of the college age students of Southwestern Washington. The report shall include an evaluation by the trustees of the extent to which T.E.S.C. promotes and reflects the values of the citizens of the State of Washington whose productive effort provides the funding for this and all state institutions of higher learning."

Representative Kuehnle spoke in favor of the amendment, and Representatives Bausch, Hendricks, Douthwaite, Shipchock and Lee spoke against it.

Representatives Kuehnle and Barnes spoke in favor of the amendment, and Mr. Charette spoke against it.

Mr. Chatalas demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle and others to page 18 of Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 28; nays, 68; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Deccio, Eikenberry, Fischer, Flanagan, Freeman, Gilleland, Greengo, Hansen, Haussler, Hayner, Hurley M., Jastad, Juelling, Kalich, Kuehnle, McCormick, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Schumaker, Wojahn.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hawkins, Hendricks, Hurley G. S., Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipchock, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hansey, Matthews.

Mr. Kuehnle moved adoption of the following amendment:

On page 18, line 23 strike all material down to and including line 27 and insert:  
 "Of the funds appropriated by this section \$28,000 shall be held as a lagged enrollment reserve for fiscal year 1977 and shall be allotted by the office of program planning and fiscal management only upon approval by the legislative budget committee or its statutory successor pursuant to the conditions of section 56 of this act.

General Fund Appropriation ..... \$616,546"

Mr. Kuehnle spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle to page 18, line 23 of Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 20; nays, 75; not voting, 3.

Voting yea: Representatives Amen, Barnes, Bond, Dunlap, Eikenberry, Freeman, Gilleland, Greengo, Hansey, Hayner, Jastad, Kuehnle, Matthews, Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipchock, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Berentson, Deccio, and Mr. Speaker.

The Clerk read the following amendment by Representative Kuehnle:

On page 20, line 9 strike all material down to and including line 13 and insert:

"Of the funds appropriated by this section \$183,000 shall be held as a lagged enrollment reserve for fiscal year 1977 and shall be allotted by the office of program planning and fiscal management only upon approval by the legislative budget committee or its statutory successor pursuant to the conditions of section 56 of this act.

General Fund Appropriation ..... \$5,188,617"

With the consent of the House, Mr. Kuehnle withdrew the amendment.

Mr. Kuehnle moved adoption of the following amendment:

Beginning on page 18 strike sections 50, 51, 52, 53, 54 and 55 and renumber the remaining sections consecutively.

Mr. Kuehnle spoke in favor of the amendment, and Representatives Bagnariol, Savage and Bausch spoke against it.

Mr. Newhouse demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle, striking sections 50 through 55 of Substitute House Bill No. 864, and the amendment was not adopted by the following vote: Yeas, 6; nays, 88; not voting, 4.

Voting yea: Representatives Bond, Deccio, Fischer, Kuehnle, Nelson, Schumaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kálích, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Ceccarelli, Hansen, Hayner, Matthews.

Mr. Polk moved adoption of the following amendment:

On page 1, line 20 strike all material after "conditions" down to and including page 1, line 24 and insert ": PROVIDED, That transfers among amounts separately appropriated may be approved in the allotment process pursuant to section 58 of this act."

Representatives Polk, Peterson, Moon and Newhouse spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Section 58, on line 23 reads that 'Nothing in this section or in chapter 328, Laws of 1959, shall prevent revisions of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.' Representative Shinpoch, I would like you to explain please, how that will work; suppose a revision isn't necessary? It says 'nothing shall prevent revisions.' How would such revisions be able to be made under the type of provisions in the second section which Representative Polk is trying to amend?"

Mr. Shinpoch: "Representative Douthwaite, under the Budget and Accounting Act, once we have passed the budget, the agencies come in with an allotment request to OPP&FM and they either approve, modify, turn down, or whatever those allotment requests. There is a time limit that they have relative to making the allotment. Those allotments then become the spending plan and can be on a quarterly spending plan, or it is normally a monthly spending plan. What this language says is, that if in the Governor's cabinet in his department of revenue they estimate the revenues that are going to be available are less than was estimated, the Governor may declare an emergency—a fiscal emergency and may change those allotments downward in order to stay within the constitutional limitations relative to balancing this budget. If you will recall that's what we went through in 1970. We went through that same kind of procedure when the revenues did not meet the forecasts. We currently have a bill in the House that would change that allotment procedure; right now none of the elected officials have any ability to change the appropriation, even if revenues are not going to be available

for any of the elected officials. Neither is higher education under the allotment procedure. In the bill that we have somewhere in the process, we would put higher education under OPP&FM's allotment procedure and we would put the elected officials under the legislature for that kind of a fiscal emergency. That's what the language is for. The rest of that section (if you will look at it) is contrary to what the maker of the motion and other people over there are saying. That section gives considerable flexibility to the department of OPP&FM if there is an emergent situation—if you can prove that there is a deviation required. Other than that, then it says that this legislature establishes policy, not OPP&FM. I would suggest to everyone who is concerned about this, read section 58 and read it very carefully; section 58 gives considerable flexibility."

Representatives Polk and Moon spoke again in favor of the amendment, and Mr. Shinpoch spoke again in opposition.

With the consent of the House, Mr. Polk withdrew the amendment.

The Speaker assumed the Chair.

Mr. Pardini moved adoption of the following amendments by Representatives Becker and Pardini:

Beginning on page 3, line 30 strike all material down to and including "faculty member." on page 4, line 22.

Beginning on page 7, line 25 strike all material down to and including "faculty member." on page 8, line 17.

On page 11, beginning with line 18 strike all material down to and including "faculty member." on line 32.

On page 14, beginning with line 11 strike all material down to and including "faculty member." on line 25.

On page 17, beginning with line 4 strike all material down to and including "faculty member." on line 18.

Beginning on page 19, line 36 strike all material down to and including "faculty member." on page 20, line 8.

Representatives Pardini and Becker spoke in favor of the amendments, and they were adopted.

The Clerk read the title of the bill.

Substitute House Bill No. 864 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 862, by Representatives Bagnariol and Shinpoch:

Relating to appropriations.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 862 was substituted for House Bill No. 862, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 862 was read the second time.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Gilleland and Kuehnle. Representative Gilleland was excused.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 862, by Committee on Ways and Means - Appropriations (Originally sponsored by Representatives Bagnariol and Shinpoch):

Adopting a budget for the superintendent of public instruction.

The House resumed consideration of the bill on second reading.

Mr. Polk moved adoption of the following amendment:

On page 1, line 30 after "funds" strike down to and including "\$12,788,973" and insert ": PROVIDED FURTHER, That not more than 14.0 F.T.E.'s per year shall be employed and \$605,829 shall be expended in the Professional Services Division for 1975-1977..... \$12,288,973"

Mr. Polk spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to page 1, line 30 of Substitute House Bill No. 862, and the amendment was not adopted by the following vote: Yeas, 31; nays, 64; not voting, 3.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Greengo, Haley, Hanna, Hansey, Hendricks, Jueling, Leckenby, Lee, Luders, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gilleland, Hanna, Kuehnl.

Mr. Polk moved adoption of the following amendment:

On page 1, line 30 after "funds" insert ": PROVIDED FURTHER, That by July 1, 1975, the Superintendent of Public Instruction shall provide to the House and Senate Ways and Means Committee a schedule and cost of automating the teacher certification process"

On motion of Mr. Shinpoch, the following amendment to the Polk amendment was adopted:

On line 1 of the Polk amendment strike "July" and insert "October"

Mr. Polk spoke in favor of his amendment as amended.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk as amended to page 1, line 30 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 86; nays, 10; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Cochrane, Ehlers, Gaspard, Maxie, Moon, Perry, Savage, Smith E. P., Williams.

Not voting: Representatives Gilleland, Kuehnl.

Mr. Moon moved adoption of the following amendment by Representatives Moon, King, Smith (Rick), Charnley, Charette, Douthwaite, Ceccarelli, Wojahn, Ehlers, Sherman, Erickson, Hurley (George), Hanna, Gaines, Cochrane, Valle, Hawkins, Williams, Bender, Clemente and Chatalas:

On page 1, line 8 insert the following:

"NEW SECTION. Section 1. The legislature finds that there is an emergent need to enact a program which will generate sufficient revenue and shift the tax burden away from property owners who must now support the maintenance and operation of the K-12 program of the common schools through the use of the special school levies.

In order to manifest its support for such a shift the legislature hereby creates a special account within the state general fund which shall be expended exclusively for the purpose of eliminating special or excess

levies as a method of financing the K-12 program of our common schools. There is hereby appropriated to the special account created herein the sum of \$500,000,000 (or so much thereof as is generated by a special levy relief act when it is passed by the legislature or the legislature and the people) for distribution by the superintendent of public instruction to the common school districts to be expended by such districts in lieu of revenues raised by special or excess levies for maintenance and operation of the K-12 program."

Renumber the remaining sections consecutively and change any internal references accordingly.

Mr. Moon spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Moon and others to page 1, line 8 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, McCormick, Moon, Moreau, Nelson, North, O'Brien, Perry, Peterson, Randall, Savage, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bausch, Berentson, Blair, Bond, Conner, Curtis, Deccio, Dunlap, Flanagan, Freeman, Gaspard, Hansen, Hayner, Juelling, Leckenby, May, McKibbin, Newhouse, Pardini, Paris, Parker, Patterson, Polk, Schumaker, Seeberger, Shipoch, Tilly, Whiteside, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gilleland, Kuehnle, Maxie.

Mr. Bauer moved adoption of the following amendment by Representatives Bauer, Tilly and Haussler:

On page 1, line 30 after "funds" insert ": PROVIDED, That the Superintendent of Public Instruction is authorized to continue operating a career education program through the 1975-77 biennium"

Mr. Bauer spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### MOTION FOR RECONSIDERATION

Mr. Eikenberry moved that the House do now reconsider the action by which the amendment by Representative Moon and others to page 1, line 8 of the bill was adopted.

Representatives Eikenberry, Bagnariol, Pardini and Leckenby spoke in favor of the motion, and Representatives Moon, Hurley (George), King and Bauer spoke against it.

Mr. Luders demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Eikenberry that the House do now reconsider the action by which the amendment by Representative Moon and others was adopted, and the motion was lost by the following vote: Yeas, 38; nays, 59; not voting, 1.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bausch, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Juelling, Leckenby, May, McKibbin, Newhouse, Pardini, Parker, Polk, Randall, Schumaker, Seeberger, Shipoch, Tilly, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Haley, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Moreau, Nelson, North, O'Brien, Paris, Patterson, Perry, Peterson, Savage, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn.

Not voting: Representative Kuehnle.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment to page 1, line 30 by Representatives Bauer, Tilly and Haussler.

Representatives Tilly and Haussler spoke in favor of adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bauer, Tilly and Haussler to page 1, line 30 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 68; nays, 24; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansey, Haussler, Hawkins,

Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Savage, Schumaker, Sherman, Smith E. P., Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Blair, Dunlap, Eikenberry, Flanagan, Freeman, Greengo, Haley, Hansen, Hayner, Hendricks, Hurley M., Juelling, Lee, Nelson, North, Pardini, Peterson, Polk, Randall, Seeberger, Shipoch, Whiteside.

Not voting: Representatives Clemente, Gilleland, Kuehnle, Matthews, Smith R., Sommers.

Mr. Luders moved adoption of the following amendment by Representatives Bagnariol, Shipoch and Luders:

On page 4, after line 33 insert:

"During the 1975-76 school year the Superintendent of Public Instruction may direct the expenditure of funds contained in this appropriation to fund the percentage of school psychologists, speech therapists and other ancillary personnel not funded in the handicapped excess cost appropriation for 1975-76."

Mr. Bagnariol spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bagnariol, Shipoch and Luders to page 4, line 33 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaines, Gilleland, Haley, Kuehnle, Matthews.

Mr. Brown moved adoption of the following amendment by Representatives Brown, Ehlers, Erickson, Dunlap and Lee:

On page 3, line 5 after "instruction" strike down to and including "year" on line 5.

Mr. Brown spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Whiteside.

Mr. Whiteside: "Representative Brown, if your amendment passes would it then lower the school levies in any school districts that have a static enrollment?"

Mr. Brown: "In a district with a static enrollment, if we take the freeze off, the pressure is going to be on for a decrease in the special levy. If this amendment passes it will take the pressure off for the simple reason that with the freeze removed then you would be following more closely to reality, and as your teacher-corps, as the experience factors increase, the instruction factors increase, then you would get more nearly what is actually required to pay the teachers in that district than you will with the freeze on."

Mr. Shipoch spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Brown, in order to clarify this a little more I would like to have you explain to what extent this increases the staff experience weighting and how many more—what I call artificial pupils—are created by your amendment?"

Mr. Brown: "Well, if my memory is correct, Representative Flanagan, the factor would increase from .554 to .562, which would increase—if you wish to call them artificial pupils—by approximately five thousand."

Mr. Flanagan spoke against adoption of the amendment.

The amendment was adopted.

The Clerk read the following amendment by Representative Peterson:

On page 4, line 36 insert a new section to read as follows:



**"NEW SECTION. Sec. 5. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION - FOR SPECIAL LEVY RELIEF**

It is the intent of the legislature that the allocation and expenditure of the funds appropriated hereby is to occur and be conditioned as follows: (a) The legislature of the state of Washington offering to the people at the next general election for their approval and ratification or rejection a tax program capable of generating revenue sufficient to replace all revenues generated or which would have been generated for the support of the common schools as a result of the imposition of excess levies approved by a vote of the people or which would have been generated as a result of such levies as were submitted to the people but which failed of approval and (b) the approval of that program by the people.

In the event of the approval by the people of that program offered by the legislature, then in that event the moneys hereby appropriated shall be allocated through such a formula as is established by the legislature at its next session.

General Fund Appropriation ..... \$340,000,000"  
 Renumber the remaining sections consecutively.

With the consent of the House, Mr. Peterson withdrew the amendment.

Ms. Lee moved adoption of the following amendment by Representatives Lee and Curtis:

On page 4, line 36 insert the following:

**"NEW SECTION. Sec. 5. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION - FOR SPECIAL LEVY RELIEF**

General Fund Appropriation: PROVIDED, That this appropriation shall be distributed by the Superintendent of Public Instruction on the basis of per full-time equivalent pupil in each district levying an excess levy for maintenance and operation purposes for collection in 1976, or in which the maximum number of elections pursuant to law have been conducted for maintenance and operation excess levies for collection in 1976; or in each district which the per pupil cost in such district, excluding transportation is less than the statewide average for the respective preceding year: PROVIDED FURTHER, That each local board of school directors affected by this appropriation certify to the respective board of county commissions a reduction in operation and maintenance excess levy collections equal to the amount received from this appropriation: PROVIDED FURTHER, That the Superintendent of Public Instruction shall withhold an amount equal to that received by those districts which fail to roll-back operation and maintenance excess levy collections in an amount equal to that received through this appropriation ..... \$58,000,000"

Renumber the remaining sections consecutively.

Representatives Lee, Curtis and Freeman spoke in favor of the amendment, and Representatives Bagnariol, Chatalas and Hendricks spoke against it.

Mr. Conner demanded the previous question and the demand was sustained.

**ROLL CALL**

The Clerk called the roll on adoption of the amendment by Representatives Lee and Curtis to page 4, line 36 of Substitute House Bill No. 862, and the amendment was not adopted by the following vote: Yeas, 17; nays, 75; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Curtis, Dunlap, Eikenberry, Freeman, Greengo, Hansey, Lee, Nelson, Pardini, Polk, Schumaker, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Gilleland, King, Kuehnle, Matthews, Tilly, Valle.

Mr. Luders moved adoption of the following amendment by Representatives Luders, Bauer, Warnke, Fortson, King, Smith (Rick), Hanna, Ehlers, Laughlin, Douthwaite and North:

On page 4, line 35 strike "1,071,517,300" and insert "1,087,517,300"

Representatives Luders and Pardini spoke in favor of the amendment, and Representatives Flanagan and Bagnariol spoke against it. Representative Pardini now spoke in opposition to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Luders and others to page 4, line 35 of Substitute House Bill No. 862, and the amendment was not adopted by the following vote: Yeas, 39; nays, 54; not voting, 5.

Voting yea: Representatives Adams, Barnes, Bauer, Brown, Chandler, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Fischer, Fortson, Gaines, Gaspard, Hawkins, Kilbury, Knowles, Laughlin, Luders, Martinis, Matthews, McKibbin, Moon, North, O'Brien, Parker, Perry, Savage, Sherman, Smith E. P., Smith R., Thompson, Valle, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Clemente, Curtis, Deccio, Dunlap, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gallagher, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Lee, Lysen, Maxie, May, McCormick, Moreau, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Seeberger, Shinpoch, Sommers, Tilly, Whiteside, Wojahn.

Not voting: Representatives Gilleland, King, Kuehnle, Leckenby, and Mr. Speaker.

#### MOTION FOR RECONSIDERATION

Mr. Shinpoch moved that the House reconsider the vote by which the amendment to page 4, line 35 by Representatives Luders and others was defeated.

Representatives Shinpoch and Pardini spoke in favor of the motion and the motion was carried.

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Friday, April 11, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 11, 1975.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lori Gustafson and Brent Wayland. Prayer was offered by Representative William Paris.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

April 10, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2256,  
ENGROSSED SENATE JOINT RESOLUTION NO. 101,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2256, By Senators Francis, Clarke and Woody:

Revising laws relating to remuneration of judges.

To Committee on Judiciary.

ENGROSSED SENATE JOINT RESOLUTION NO. 101, by Senators Francis, Clarke, Marsh, Woody and Jones:

Creating a new judicial article in the Constitution of Washington.

To Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

April 10, 1975

HOUSE BILL NO. 744, Prime Sponsor: Representative Lee, authorizing the interagency committee on outdoor recreation to produce a state recreation guide. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hurley (Margaret), Chairwoman; Gaines, Vice Chairman; Lee, North, Paris, Peterson, Randall, Seeberger, Smith (Edward).

To Committee on Rules for second reading.

April 10, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2616, Prime Sponsor: Senator Wilson, requiring notice and a hearing before an exchange of state land. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 17 after "newspapers" strike all material down to and including "state" on line 19 of the engrossed bill, being line 18 of the printed bill, and insert "of general circulation in the county and at least once in one or more weekly newspapers circulated in the area where the state-owned"

On page 1, line 26 after "proposal." strike the remainder of section 1, being the Senate amendment by Senator Wilson, and insert "If there is a failure to substantially comply with the procedures set forth in this section, then the exchange agreement shall be subject to being declared invalid by a court. Any such suit must be brought within one year from the date of the exchange agreement."

On page 1, line 28 of the engrossed bill, being line 27 of the printed bill, after "to" strike "chapter 76.12" and insert "Title 79"

On page 2, line 2 of the engrossed bill, being page 2, line 1 of the printed bill, after "exchange of" strike "state land pursuant to this chapter" and insert "any lands under the administrative control of the department of natural resources"

On page 2, beginning on line 9 of the engrossed bill, being line 8 of the printed bill, after "newspapers" strike all material down to and including "state" on line 11 of the engrossed bill, being line 9 of the printed bill, and insert "of general circulation in the county and at least once in one or more weekly newspapers circulated in the area where the state-owned"

On page 2, line 18 of the engrossed bill, being line 17 of the printed bill, after "proposal." strike the remainder of section 2, being the Senate amendment by Senator Wilson, and insert "If there is a failure to substantially comply with the procedures set forth in this section, then the exchange agreement shall be subject to being declared invalid by a court. Any such suit must be brought within one year from the date of the exchange agreement."

On page 2, beginning on line 20 of the engrossed bill, being line 18 of the printed bill, strike all of section 3, including the Senate amendments to section 3.

On page 1, beginning on line 2 of the title after "43.51 RCW;" strike the remainder of the title and insert "and adding a new section to Title 79 RCW."

Signed by Representatives Bausch, Vice Chairman; Bond, Clemente, Gilleland, Greengo, Hansey, Hurley (George), Kalich, Kilbury, Matthews, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

Mr. Charette demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

#### MOTION

On motion of Mr. Charette, the House proceeded with business under the Call of the House.

#### SECOND READING

**SUBSTITUTE HOUSE BILL NO. 862**, by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol and Shinpoch):

Adopting a budget for the superintendent of public instruction.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be reconsideration of the following amendment by Representatives Luders, Bauer, Warnke, Fortson, King, Smith (Rick), Hanna, Ehlers, Laughlin, Douthwaite and North:

On page 4, line 35 strike "1,071,517,300" and insert "1,087,517,300"

Mr. Luders spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Bagnariol, yesterday afternoon you made the statement that if this \$16 million amendment were adopted there would probably be a tax increase. I realize that it was late in the afternoon; now that you have had time to think about it—I want to vote for this, but I don't want to vote for a tax increase, for a \$16 million budget buster. Can you tell me specifically if this will require a tax increase, this \$16 million?"

Mr. Bagnariol: "Representative Pardini, you voted for a tax increase when you increased the community college budget by \$12 million. I suppose at this point in time we will have to wait and see how all of these budgets go. I think what Representative Luders is attempting to do is certainly merited as far as the meritorious issues are concerned, and I guess once we get through all these budgets we will have to readjust our totals, see just where we are in total dollars and then assess whether or not in fact we need a tax increase and in what amount."

Mr. Pardini spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Luders and others to page 4, line 35 of Substitute House Bill No. 862, and the amendment was not adopted by the following vote: Yeas, 48; nays, 50; not voting, 0.

Voting yea: Representatives Adams, Barnes, Bauer, Brown, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, McCormick, Moon, Nelson, North, O'Brien, Parker, Perry, Polk, Savage, Sherman, Smith E. P., Smith R., Thompson, Valle, Warnke, Wilson, Wjahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Clemente, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Kuehne, Leckenby, Lee, Lysen, Matthews, May, McKibbin, Moreau, Newhouse, Pardini, Paris, Patterson, Peterson, Randall, Schumaker, Seeberger, Shipoch, Sommers, Tilly, Whiteside, Williams.

Mr. Luders moved adoption of the following amendment by Representatives Luders, Bauer, Parker, Seeberger, Kilbury, Hanna, Boldt, Hurley (Margaret), Cochrane, Warnke, Fortson, Valle, Knowles, Charette, Chatalas, Smith (Rick), King, Ehlers, McCormick, Laughlin, Douthwaite, North, Smith (Edward), Paris, Brown, Patterson, Greengo and Blair:

On page 5, line 33 strike "15" and insert "8"

POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "I believe that Representative Luders' amendment comes later in the bill, deals with the same subject matter, and I have an amendment on page 5 which would increase the handicapped program by approximately \$4 million. Under the circumstances the consideration of Mr. Luders' amendment first at \$8 million might preclude consideration of my amendment."

SPEAKER'S RULING

The Speaker: "Representative Pardini, I don't understand your point of order because yours is a striking amendment and the House always perfects the matter before it strikes."

Mr. Pardini: "I guess my question is concern about the level of spending—the amount of money. Mine is for \$4 million and Representative Luders' is for \$8 million. I'm fearful that, under the circumstances, by the consideration of the higher amount first, we might adopt that, and in the issue involved they might not want to drop to the lower amount."

The Speaker: "Right now, Representative Pardini, we are considering ratios and your amendment is striking the ratios. I think the House is entitled to perfect the ratios before they consider the striking of them. If you wish to modify, the easiest way would be an amendment to Representative Luders' amendment, when you get to that point that you wish to modify."

POINT OF INFORMATION

Mrs. Hurley (Margaret): "I have an amendment that I'm interested in in the same area of special education, and mine is for less money than Representative Luders'. Will we still be able to consider mine if Mr. Luders' fails?"

The Speaker: "Representative Hurley, the way I understand these amendments is that the material that you are wishing to amend is involved in the various amendments that Representative Luders' are. When we get to the amount, which is the area that I think you are most concerned with, we usually start with the highest and then if that fails we go on down. If you want to directly attach it at that time it would be better to come in with an amendment to the amendment on the highest amendment, or take the chance that Mr. Luders' amendment would fail. If you don't want to put an amendment on the amendment, then if Representative Luders' amendment fails yours would be next in line."

POINT OF INFORMATION

Mr. Amen: "We are now on the one starting on page 5, line 33, strike '15' and insert '8'. Is that correct?"

The Speaker: "That is correct."

Mr. Amen: "Is this to be considered as one amendment? As I read it, this is written one way and Representative Hurley's is another way."

The Speaker: "These do affect different particular areas. Unless the House wanted to consider them all, they do really approach different subject matters. I think we should proceed through these individually because although they are affecting ratios, they are affecting ratios in different classroom categories."

Mr. Amen: "I see that, Mr. Speaker, but if we adopt the first three, then it would just about be mandatory that we adopt the last ones."

The Speaker: "If you didn't, then your first three would be useless. If you adopt the first three amendments, then you are talking about the next three amendments, which are the monetary ones."

Representatives Luders, Hurley (Margaret), Parker, Charnley and Cochrane spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Nelson.

Mr. Nelson: "The other two speakers, Representatives Luders and Hurley, have spoken to their amendments and the thing that I am concerned about now is how your amendment fits in compared to these two. I've gotten a fair appreciation for what they are doing and I would like to hear more about what yours is doing so that I can get a complete picture of how all three of these should be considered by this body."

Mr. Pardini: "That's a difficult question to answer, but I will try. There are probably two differences between my amendment and Representative Luders' amendment; probably the same two differences between mine and Representative Hurley's. My amendment would strike the ratio, strike it completely from the bill as we did yesterday in the university budgets. This body elected that we would not mandate those ratios. The ratios are critical in dealing with these handicapped children as to whether you have 15 to 1 or 10 to 1. My reason for striking those ratios is that the same ratios that Representatives Luders and Hurley proposed to go down to are already part of the Washington Administrative Code. They are the current ratios—isn't that correct, Representative Luders? They are part of the Washington Administrative Code, and because they are part I do not feel that they belong in the bill. Everything else that Representative Luders talks about—the 75% funding, which is going to go for psychologists, audiologists—my amendment does not touch those that would essentially remain the same. On the dollar amount I am somewhere in between Representative Hurley and Representative Luders. My amendment would add \$2 million in the first year of the biennium and an additional \$2 million in the second year of the biennium. Just for comparison, because there may be some confusion on this: In the 1973-75 biennium in the handicapped program, we spent \$64,860,000. The bill as it is presently proposed from the Ways and Means Committee increases that to \$70,325,000. My \$4 million would further increase it to \$74 million; Representative Luders' level of spending would be about \$78 million, roughly, and Mrs. Hurley's is probably just a little bit less than that. That is essentially the difference, Representative Nelson."

Mr. Eikenberry spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "You mentioned that 75% of the psychologists' services would be funded and you did not clarify. I wondered, as far as intermediate school districts where they serve several counties, how will that affect those particular school districts in those counties where they serve where they have a multi-service area? Will they be losing, or will they not be served?"

Mr. Luders: "Representative Zimmerman, those psychologists and therapists who are in the ISD's will be funded. We put an amendment in yesterday which said that the remainder of the 25% can be taken from the apportionment, and this budget will raise the apportionment so it will come out an increase. For the ISD people it can be done several ways—it can be done through the SPI directly or it can be done by an assessment in the ISD. In my area there are 58 school districts and it will be done on a partial assessment so that they would jointly pick up the other 25%. There will be no decrease or no negative impact on the ISD's."

Mrs. Fortson spoke in favor of the amendment.

Mr. Charette demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Luders and others to page 5, line 33 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 90; nays, 8; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zintmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Dunlap, Flanagan, Haley, Hayner, Kuehnle.

Mr. Luders moved adoption of the following amendment by Representatives Luders, Hurley (Margaret), Boldt, Hanna, Bauer, Parker, Seeberger, Kilbury, Cochrane, Warnke, Fortson, Valle, Knowles, Charette, Chatalas, Smith (Rick), King, Ehlers, McCormick, Laughlin, Douthwaite, North, Smith (Edward), Paris, Brown, Patterson, Greengo and Blair:

On page 5, line 35 strike "15" and insert "10"

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Luders and others to page 5, line 35 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Dunlap, Flanagan, Haley, Hayner, Kuehnle.

Mr. Luders moved adoption of the following amendment by Representatives Luders, Hurley (Margaret), Boldt, Hanna, Bauer, Parker, Seeberger, Kilbury, Cochrane, Warnke, Fortson, Valle, Knowles, Charette, Chatalas, Smith (Rick), King, Ehlers, McCormick, Laughlin, Douthwaite, North, Smith (Edward), Paris, Brown, Patterson, Greengo and Blair:

On page 6, line 4 strike "35" and insert "26"

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Luders and others to page 6, line 4 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Dunlap, Flanagan, Haley, Hayner, Kuehnle, Whiteside.

Mr. Pardini moved adoption of the following amendment:

On page 5, line 11 strike everything down to and including "teacher.:" on page 6, line 4.

Mr. Pardini spoke in favor of the amendment, and Representatives Luders and Polk spoke in opposition to it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to page 5, line 11 of Substitute House Bill No. 862, and the amendment failed to pass the House by the following vote: Yeas, 20; nays, 78; not voting, 0.

Voting yeas: Representatives Amen, Charnley, Curtis, Douthwaite, Eng, Flanagan, Greengo, Haley, Hayner, Kuehne, Leckenby, Lee, Nelson, Newhouse, Pardini, Paris, Peterson, Schumaker, Thompson, Williams.

Voting nays: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Patterson, Perry, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Luders moved adoption of the following amendment by Representatives Luders, Hurley (Margaret), Boldt, Hanna, Bauer, Parker, Seeberger, Kilbury, Cochrane, Warnke, Fortson, Valle, Knowles, Charette, Chatalas, Smith (Rick), King, Ehlers, McCormick, Laughlin, Douthwaite, North, Smith (Edward), Paris, Brown, Patterson, Greengo and Blair:

On page 6, line 23 strike "33,022,112" and insert "37,382,946"

## POINT OF PARLIAMENTARY INQUIRY

Mr. Curtis: "Mr. Speaker, I understood you to say that if Representative Luders' amendment were to carry then we would be precluded from considering Representative Pardini's amendment which is a lower amount, unless Representative Pardini wishes to offer that as an amendment to the amendment, is that correct?"

The Speaker: "That is correct."

Mr. Pardini moved adoption of the following amendment to the Luders' amendment:  
On page 6, line 23 strike "33,022,112" and insert "35,022,112"

Representatives Pardini, Amen, Polk, Hayner and Haley spoke in favor of the amendment to the amendment, and Representatives Shinpoch and Brown spoke against it.

## POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Luders, in the 1973-75 budget I understand there was budgeted \$64 million and your amendment would raise that to \$78 million. Representative Pardini's would raise it to \$74 million. Can you tell us how many pupils were enrolled in the program in the last biennium and how many will be enrolled in this next biennium?"

Mr. Luders: "In 1973-74 there were 26,311 and in 1974-75 there were 30,367 and we are projecting that the growth factor, based upon the kinds of definitions that we expect to get, will increase that to between 33,000 and 35,000."

Mr. Deccio: "I can't calculate that quickly in my head; what does that do to the cost per pupil over the last budget?"

Mr. Luders: "I doubt if it can be broken down that simply because it relates also to the mix. You would have to see how many more in neurologically impaired, how many more in growth handicapped, etc. When we talk about grand totals we are talking about grand totals according to projected mix."

## POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Bauer.

Mr. Bauer: "I have before me Substitute House Bill No. 864, the higher education bill, and on page 4, it says, '(d) In the 600/700 level courses a ratio of 7.1 full time equivalent students to 1 full time equivalent faculty member. . . .' Then over here in Substitute House Bill No. 862, the bill we are on now, I look at some categories here of the handicapped, 6 to 1, 8 to 1, 10 to 1, 13 to 1, 15 to 1, etc. Since you have been involved in education all of your life and I highly respect your best judgment, in all of these categories would you tell the group here what do you consider the most manageable situation—10 to 1 handicapped children in a class, 7, 8, 9, 10, 11, 12-year olds to one teacher or a 7 to 1 ratio of 25-year-old fully grown



adults in a master or doctor degree program at the University of Washington. Which would be the easiest managed classroom situation?"

Mr. Luders: "If I had my druthers, from the standpoint of all the things that you have to consider, I would prefer to be an instructor of graduate programs at the higher level in college than I would to deal with those handicapped children. I think it takes more dedication; it may not take quite as much content-type of education, but it takes a lot more dedication, I believe, to deal with those people where you have to measure your progress in smaller amounts and where the kinds of stimulations that you get have to be based upon how much you achieved in a day. You are not dealing with stimulation on the part of high-level, philosophical, conceptual-type activities."

Mr. Bauer spoke against the amendment to the amendment.

Mr. Pardini demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to the amendment by Representative Luders and others to page 6, line 23 of Substitute House Bill No. 862, and the amendment to the amendment was not adopted by the following vote: Yeas, 24; nays, 74; not voting, 0.

Voting yea: Representatives Amen, Berentson, Bond, Curtis, Eng, Flanagan, Freeman, Gilleland, Haley, Hansey, Hayner, Kuehnl, Leckenby, Lee, Nelson, Newhouse, Pardini, Polk, Randall, Schumaker, Smith R., Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

The Speaker stated the question before the House to be the amendment by Representative Luders and others to page 6, line 23.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Luders and others to page 6, line 23 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Dunlap, Flanagan, Freeman, Gilleland, Haley, Hayner, Kuehnl, Newhouse, Polk, Tilly.

Mr. Luders moved adoption of the following amendment by Representatives Luders, Hurley (Margaret), Boldt, Hanna, Bauer, Parker, Seeberger, Kilbury, Cochrane, Warnke, Fortson, Valle, Knowles, Charette, Chatalas, Smith (Rick), King, Ehlers, McCormick, Laughlin, Douthwaite, North, Smith (Edward), Paris, Brown, Patterson, Greengo and Blair:

On page 6, line 24 strike "33,888,851" and insert "38,249,685"

Mr. Luders spoke in favor of adoption of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Luders and others to page 6, line 24 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S.,

Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Flanagan, Freeman, Gilleland, Haley, Hayner, Tilly, Wojahn.

Mr. Luders moved adoption of the following amendments by Representatives Luders, Hurley (Margaret), Boldt, Hanna, Bauer, Parker, Seeberger, Kilbury, Cochrane, Warnke, Fortson, Valle, Knowles, Charette, Chatalas, Smith (Rick), King, Ehlers, McCormick, Laughlin, Douthwaite, North, Smith (Edward), Paris, Brown, Patterson, Greengo and Blair:

On page 8, line 1 strike "35,541,056" and insert "39,825,648"

On page 8, line 2 strike "36,437,795" and insert "40,722,387"

Mr. Luders spoke in favor of adoption of the amendments.

### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Luders and others to vote 8 of Substitute House Bill No. 862, and the amendments were adopted by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Flanagan, Haley.

### POINT OF PERSONAL PRIVILEGE

Mr. Curtis: "In this area that we have just completed, namely the proper level of spending on the handicapped budget, whether we agree or do not agree that it is or is not enough or too much or whatever might be, it has been a very difficult and delicate and emotional area, and on behalf of myself, individually and as chairman of our caucus, I personally would like to thank Representative Luders for the excellent job. He did take his time to come into our caucus and help explain this area to us in a very understandable manner and I wanted to take this opportunity to say that we very much appreciated it."

Mr. Thompson moved adoption of the following amendment:

On page 6, after line 21 insert:

"During the 1975-76 school year the superintendent of public instruction shall implement a system of monthly reporting by each school district of handicapped student enrollments by the redefined disability categories."

Mr. Thompson spoke in favor of the amendment.

### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Peterson.

Mr. Peterson: "Since we have failed many school levies around the state, how much would this cost the local school districts to do this reporting system and how much money or people will the Superintendent of Public Instruction have to put into it to maintain this reporting system?"

Mr. Thompson: "I don't have a fiscal impact note on this, but the general assurances that I have, both from the SPI's office and from the Longview school district and the legislative district that I represent, is that the cost would be minimal inasmuch as these procedures are followed generally with enrollments now and it wouldn't be difficult nor expensive to add this procedure to it."

Mr. Eikenberry spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Thompson to page 6, line 21 of Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

## MOTION

On motion of Mr. Thompson, the House dispensed with further business under the Call of the House.

## SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House, Miss Valerie Harper and Mr. Anthony Zerbe, and requested Representatives Seeberger, Gaspard, Valle and Hayner to escort them to the rostrum.

The Speaker introduced these famous television, movie and theater personalities to the House, and they each addressed the House briefly.

The Speaker requested the committee to escort them from the House Chamber.

## MOTION

On motion of Mr. Thompson, the House recessed until 2:00 p.m.

## AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

## SECOND READING

## SUBSTITUTE HOUSE BILL NO. 862:

The House resumed consideration of the bill on second reading.

Mr. Polk moved adoption of the following amendment:

On page 7, line 1 after "successor" strike "The Superintendent of Public Instruction" and insert "a committee composed of ten persons (three appointed by the Superintendent of Public Instruction, three appointed by the governor, two appointed by House Ways and Means, and two appointed by Senate Ways and Means) and which shall be provided such support services as necessary by the Superintendent of Public Instruction as are necessary to accomplish the tasks hereby imposed"

Mr. Polk spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

The amendment was adopted.

Mr. Zimmerman moved adoption of the following amendment:

On page 8, line 20 strike "61,069,427" and insert "62,069,427"

Mr. Zimmerman spoke in favor of the amendment, and Representatives Shinpoch and Newhouse spoke against it.

## POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Amen.

Mr. Amen: "I'm not quite clear on how you figure this. I talked to the Superintendent this morning and he said that he is getting 90% of this year's costs and as I understand you,

you said 90% was figured on the average of the last two years and we are not going on 80% for the next biennium. Is that the way you are figuring this?"

Mr. Shinpoch: "Representative Amen, my understanding is that 90% is based on a two-year lag, that this year we would be paying 90% of what the costs were the year before. In actuality, in fact, we have never paid 90%; it's around 70% and I understand Representative Newhouse's concern. I would point out to him that what we are really doing is going from what I think is 70.5% up to 80% this time and hopefully, if inflation stops and we put the same kind of money in, then it would be 90% of current in the next biennium. We are picking up a larger share of the transportation this time in this fashion than we have in the past."

Mr. Zimmerman spoke in favor of the amendment, and Mr. Luders spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Zimmerman to page 8, line 20 of Substitute House Bill No. 862, and the amendment was not adopted by the following vote: Yeas, 11; nays, 84; not voting, 3.

Voting yea: Representatives Amen, Ehlers, Fortson, Haussler, Laughlin, North, Sherman, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Whiteside, Williams, Wojahn.

Not voting: Representatives Hanna, Kuehnl, and Mr. Speaker.

Mr. Matthews moved adoption of the following amendment:

On page 8, line 19 after "1975" insert ": PROVIDED, That the superintendent of public instruction study the validity, extent, and cost of transporting children within a two-mile radius of schools and report back to the next extraordinary session of the legislature"

Representatives Matthews and Freeman spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Matthews to page 8, line 19 of Substitute House Bill No. 862, and the amendment was not adopted by the following vote: Yeas, 32; nays, 60; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Charnley, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hendricks, Hurley M., Jastad, Leckenby, Lee, Matthews, Nelson, Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hayner, Hurley G. S., Kalich, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn.

Not voting: Representatives Juelling, King, Kuehnl, Maxie, Newhouse, and Mr. Speaker.

Mr. Eng moved adoption of the following amendment:

On page 10, line 19 after "appropriation" insert ": PROVIDED, That not less than \$100,000 of this amount shall be expended for providing cultural enrichment relating to the backgrounds of the racial minorities."

Mr. Eng spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eng to Substitute House Bill No. 862, and the amendment was adopted by the following vote: Yeas, 68; nays, 24; not voting, 6.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Greengo, Haley, Hanna, Haussler, Hawkins, Hayner, Hurley G. S., Jastad, Kalich, Knowles, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Parker, Perry, Peterson, Randall, Savage, Seeberger,

Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Bausch, Dunlap, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Hansen, Hansey, Hendricks, Hurley M., Jueling, Kilbury, Laughlin, Leckenby, Lee, May, Nelson, Newhouse, Paris, Polk, Schumaker.

Not voting: Representatives Blair, King, Kuehnle, Matthews, Patterson, and Mr. Speaker.

On motion of Mr. Luders, the following amendment was adopted:

On page 10, beginning on line 23, strike everything down through and including line 28 and insert:

"For mathematics and science education services to be provided public school students and teachers pursuant to contract with the Pacific Science Center Foundation: PROVIDED, That not more than \$338,121 may be expended by the superintendent of public instruction to construct, remodel and equip an astronomy education facility upon property owned by Pacific Science Center Foundation for the purpose of providing such educational services: PROVIDED FURTHER, That the superintendent of public instruction may contract to transfer title to such facility and equipment to Pacific Science Center Foundation or its successor at such time as the value of educational services provided to public school students and teachers pursuant to the contract exceeds the costs reimbursed by the superintendent of public instruction and participating school districts by an amount equivalent to at least the cost to the superintendent of public instruction for the construction and acquisition of such facility and equipment."

Mr. Barnes moved adoption of the following amendment:

On page 10, line 34 insert a new section as follows:

"NEW SECTION. Sec. 17. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION: Inasmuch as Article IX of the Washington State Constitution provides that it shall be the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex, the Superintendent of Public Instruction is hereby directed to provide to the House and Senate Education Committees by June 1, 1976, the definitions of 'standard basic education curriculums' and the associated skill testing criteria so that the legislature may determine and establish the fiscal cost responsibilities as are necessary to fulfill Article IX.

General Fund Appropriation ..... \$5,000"

Renumber the remaining sections consecutively.

Mr. Barnes spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 10, line 34 of Substitute House Bill No. 862, and the amendment was not adopted by the following vote: Yeas, 17; nays, 77; not voting, 4.

Voting yea: Representatives Barnes, Berentson, Bond, Eikenberry, Gilleland, Greengo, Haley, Hansey, Hendricks, Kuehnle, Leckenby, Lee, Moon, Newhouse, Polk, Schumaker, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Matthews, Nelson, Pardini, Patterson.

Mr. Eikenberry moved adoption of the following amendment by Representatives Eikenberry and Sommers:

On page 10, line 29 strike "513,121" and insert "638,121"

Representatives Eikenberry and Sommers spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Eikenberry spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Eikenberry and Sommers to page 10, line 29 of Substitute House Bill No. 862, and the amendment was not adopted by the following vote: Yeas, 25; nays, 67; not voting, 6.

Voting yea: Representatives Blair, Bond, Brown, Chandler, Charnley, Cochrane, Douthwaite, Ehlers, Eikenberry, Eng, Greengo, Hanna, Hawkins, Kuehnle, Leckenby, Lysen, Moon, Peterson, Polk, Schumaker, Smith E. P., Sommers, Valle, Williams, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Erickson,

Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Haley, Hansen, Hansey, Haussler, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith R., Thompson, Tilly, Warnke, Whiteside, Wojahn, and Mr. Speaker.

Not voting: Representatives Gaines, Hayner, Nelson, Newhouse, Patterson, Wilson.

Mr. Parker moved adoption of the following amendment by Representatives Parker, Hurley (Margaret) and Adams:

On page 11, following section 21 insert a new section to read as follows:

"NEW SECTION. Sec. 22. If any school district shall include within its certified budget an appropriation for the salary of any administrator that exceeds the salary currently paid to the superintendent of public instruction, the superintendent of public instruction shall withhold from the funds allocated to such district an amount equal to such excess."

Remember the remaining sections consecutively.

Representatives Parker and Hurley (Margaret) spoke in favor of the amendment, and Representatives Bagnariol and Moon spoke against it.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Deccio.

Mr. Deccio: "What is the present salary of the SPI and what is the projected increase as recommended by the salary committee?"

Mr. Parker: "The present salary is \$23,740, but the increase that has been proposed to this point would raise the SPI's salary to \$30,575. I would also say that it is my feeling that the superintendent's salary should definitely be raised and that I am voting for this with the belief that it will be raised during this session since the budget bill goes into effect on July 1, and I feel that we are going to be providing a reasonable level."

Mr. Deccio: "If you take this out of the hands of the school board where it now rests, of course (and I'm a firm believer in local control) you, in effect, set guidelines if you tie it on the basis of what the SPI gets. With this kind of an amendment when the SPI's salary is increased that could set a precedent for school boards to say that their superintendents should be raised. I think it would work the other way; don't you think that would happen?"

Mr. Parker: "No, I don't, mainly because it doesn't take any options away from the local school board. If you will read the amendment quite carefully it simply says that the state through its apportionment formula is not going to pay that additional cost, that we are only going to accept an amount in their certified budget equal to that of the salary of the Superintendent of Public Instruction. If they exceed that amount we will simply deduct from their state moneys the amount equal to the difference. They could still go ahead and pay them whatever salary they wanted to pay, just knowing that they would receive a penalty from the state if they exceeded the amount that the Superintendent of Public Instruction gets."

Mr. Hurley (George) spoke in favor of the amendment.

Mr. Pardini demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Parker, Hurley (Margaret) and Adams to page 11 of Substitute House Bill No. 862, and the amendment was not adopted by the following vote: Yeas, 13; nays, 82; not voting, 3.

Voting yea: Representatives Bond, Ceccarelli, Conner, Fischer, Greengo, Hurley G. S., Hurley M., Lee, Lysen, Parker, Schumaker, Sherman, Warnke.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Shinpoch, Smith E. P., Smith R., Semmers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Matthews, Polk.

The Clerk read the title of the bill and there were no amendments.

Substitute House Bill No. 862 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Thompson, HOUSE BILL NO. 863 was placed on the calendar for immediate consideration.

HOUSE BILL NO. 863, by Representatives Bagnariol and Shinpoch:

Relating to appropriations.

On motion of Mr. Shinpoch, Substitute House Bill No. 863 was substituted for House Bill No. 863 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 863 was read the second time.

MOTIONS

On motion of Mr. Thompson, further action on Substitute House Bill No. 863 was deferred, and the bill was ordered placed at the top of Monday's second reading calendar.

On motion of Mr. Thompson, HOUSE BILL NO. 866 was ordered placed on Monday's second reading calendar immediately following Substitute House Bill No. 863.

On motion of Mr. Charette, the House adjourned until 11:00 a.m., Monday, April 14, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 14, 1975.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Chandler, Dunlap, Kilbury and Polk, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Debbie Fredrickson and Gary Senechal. Prayer was offered by the Reverend Herbert B. McLellan of St. John's Episcopal Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE SENATE

April 11, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2048,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2322,

ENGROSSED SENATE BILL NO. 2332,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2443,

ENGROSSED SENATE BILL NO. 2892,

ENGROSSED SUB. SENATE CONCURRENT RESOLUTION NO. 104,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2048, by Committee on Parks and Recreation (Originally sponsored by Senators Knoblauch, Wanamaker, Bailey, Jones and Beck):

Revising laws on boating.

To Committee on Parks and Recreation

ENGROSSED SUBSTITUTE SENATE BILL NO. 2322, by Committee on Labor (Originally sponsored by Senators Ridder, Goltz and Morrison - by Office of Community Development request):

Granting medical aid benefits under the industrial insurance act to volunteers.

To Committee on Labor

ENGROSSED SENATE BILL NO. 2332, by Senators Bottiger and Bluechel:

Amending laws relating to insurers' assessments.

To Committee on Financial Institutions

ENGROSSED SUBSTITUTE SENATE BILL NO. 2443, by Committee on Ecology (Originally sponsored by Senators Washington and Murray):

Amending shoreline management laws.

To Committee on Ecology

ENGROSSED SENATE BILL NO. 2892, by Senators Fleming, Sellar and Talley:

Establishing disposition procedures for unclaimed personal property in port districts.

To Committee on Local Government



ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 104, by Committee on Labor (Originally sponsored by Senators Grant, Morrison and Ridder):

Providing task force to study problems related to employment in nursing homes.

To Committee on Rules

#### MOTION

On motion of Mr. Thompson, all bills listed on today's agenda under introduction and first reading were referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

April 10, 1975

HOUSE BILL NO. 121, Prime Sponsor: Representative Smith (Rick), authorizing private ownership and operation of release-recapture salmon rearing facilities. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bausch, Vice Chairman; Bond, Clemente, Conner, Gilleland, Greengo, Hurley (George), Kalich, Kilbury, Matthews, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 11, 1975

HOUSE BILL NO. 256, Prime Sponsor: Representative Ceccarelli, directing procurement of recycled materials. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Hendricks, Leckenby, Nelson, Polk.

To Committee on Rules for second reading.

April 11, 1975

HOUSE BILL NO. 318, Prime Sponsor: Representative Parker, prescribing conditions for use of confidential information by DSHS. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 11 after "PROVIDED," insert "That no confidential information compiled, obtained, or maintained by the department identifying a specific client shall be allowed to be taken by a researcher or evaluator out of the possession and control of the department without the explicit consent of the department client described by such information: AND PROVIDED FURTHER,"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Newhouse, Patterson.

To Committee on Rules for second reading.

April 11, 1975

HOUSE BILL NO. 321, Prime Sponsor: Representative Savage, prescribing changes in industrial insurance provisions. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 23 strike "five" and insert "three"

On page 4, line 22 strike "eight hundred" and insert "((eight hundred)) one thousand"

On page 7, line 9 strike "twenty-five" and insert "twenty-three"

On page 9, beginning on line 17 after "attendant," strike all material down to and including "per month" on line 20 and insert "((the monthly payment by the department to such attendant for such services shall be an amount not to exceed forty percent of the average monthly wage in the state as computed in RCW 51.08.018 per month)) the department shall make monthly payments to such attendant for such services"

On page 13, following line 33 insert a new section to read as follows:

"NEW SECTION. Sec. 3. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provisions to other persons or circumstances is not affected."

Renumber the remaining section consecutively.

Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochran, Haley, King, Matthews, May.

To Committee on Rules for second reading.

April 11, 1975

HOUSE BILL NO. 695, Prime Sponsor: Representative Smith (Rick)\*, clarifying filing and service requirements for enforcing liens. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Newhouse, Patterson.

To Committee on Rules for second reading.

April 11, 1975

HOUSE BILL NO. 1031, Prime Sponsor: Representative Haussler, reducing number of district court judges in Lincoln county from two to one. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Newhouse, Patterson.

To Committee on Rules for second reading.

April 11, 1975

HOUSE BILL NO. 1043, Prime Sponsor: Representative Savage, requiring an employer to assure a workman on temporary disability of a light duty position. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 24 after "percent" strike all material down to and including "(4)" on line 30 and insert a new subsection as follows:

"(4) Whenever an employer requests that a workman who is entitled to temporary total disability under this chapter be certified by a physician as able to perform available work other than his usual work, the employer shall furnish to the physician, with a copy to the workman, a statement describing the available work in terms that will enable the physician to relate the physical activities of the job to the workman's disability. The physician shall then determine whether the workman is physically able to perform the work described. If the workman is released by his physician for said work, and the work thereafter comes to an end before the workman's recovery is sufficient in the judgment of his physician to permit him to return to his usual job, or to perform other available work, the workman's temporary total disability payments shall be resumed. Should the available work described, once undertaken by the workman, impede his recovery to the extent that in the judgment of his physician he should not continue to work, the workman's temporary total disability payments shall be resumed when the workman ceases such work.

Once the workman returns to work under the terms of this subsection, he shall not be assigned by the employer to work other than the available work described without the workman's consent, or without prior review and approval by the workman's physician.

In the event of any dispute as to the workman's ability to perform the available work offered by the employer, the department shall make the final determination.

((4)) (5)"

On page 2, line 4 strike "(5)" and insert "((5)) (6)"

On page 2, line 9 strike "(6)" and insert "((6)) (7)"

Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, Freeman, Gilleland, Haley, King, Matthews, May.

To Committee on Rules for second reading.

April 11, 1975

HOUSE BILL NO. 1087, Prime Sponsor: Representative Smith (Rick), removing from supreme court the responsibility of establishing criteria for probate fees. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Newhouse, Patterson.

To Committee on Rules for second reading.

April 11, 1975

SENATE CONCURRENT RESOLUTION NO. 111, Prime Sponsor: Senator Goltz, designating April 20-26 as "Volunteer Week '75." Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, O'Brien, Polk, Williams.

To Committee on Rules for second reading.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 863, by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol and Shinpoch):

Adopting a budget for the department of social and health services.

For previous action, see Journal, Twenty-ninth Day, ex. sess., April 11, 1975.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Chandler, Dunlap, Kilbury and Polk, who were excused.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTIONS

On motion of Mr. Charette, the House advanced to the eleventh order of business.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Tuesday, April 15, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

### THIRTY-THIRD DAY

#### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 15, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Chandler, Dunlap, Eng, Haussler and Polk. Representatives Chandler, Dunlap, Haussler and Polk were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mike Chiechi and Kori Gilyeas. Prayer was offered by Reverend Edna E. Travis of the New Covenant Pentecostal Tabernacle of Tacoma. Miss Jeannette Wells sang "Battle Hymn of the Republic."

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGE FROM THE SENATE

April 14, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2143,  
ENGROSSED SENATE BILL NO. 2346,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2143, by Senators Talley, Jolly and North:

Relating to contracts of first class cities.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2346, by Senators Matson and Donohue (by Superintendent of Public Instruction request):

Changing requirements relating to sale of real property by school district.

To Committee on Education

#### REPORTS OF STANDING COMMITTEES

April 11, 1975

HOUSE BILL NO. 80, Prime Sponsor: Representative Kilbury, requiring imposition of the death penalty in certain instances. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hayner, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

April 11, 1975

HOUSE BILL NO. 378, Prime Sponsor: Representative Moon, prescribing procedures for the collection, analysis and reporting of statistical information on file by the state fire marshal. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, Nelson, Williams.

To Committee on Rules for second reading.

April 11, 1975

HOUSE BILL NO. 656, Prime Sponsor: Representative O'Brien, authorizing a task force on cultural resources. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson, O'Brien, Polk, Williams.

To Committee on Rules for second reading.

April 14, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2251, Prime Sponsor: Senator Grant, requiring financial disclosure by appointed officials. Reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 24, chapter 1, Laws of 1973 and RCW 42.17.240 are each amended to read as follows:

(1) Every elected official (except president, vice president and precinct committeemen), every chief executive state officer, as specified in RCW 43.17.020, as now or hereafter amended, the director of the office of program planning and fiscal management, the director of the department of personnel, and every member appointed to the state board of education, the state board for community college education, each of the community college boards of trustees, data processing authority, forest practices board, forest practices appeals board, the gambling commission, game commission, council on higher education, higher education personnel board, state highway commission, horse racing commission, liquor control board, personnel board, public disclosure commission, public pension commission, University of Washington board of regents, Washington state University board of regents, board of tax appeals, Central Washington State College board of trustees, Eastern Washington State College board of trustees, Evergreen State College board of trustees, Western Washington State College board of trustees, and the utilities and transportation commission, and each chief executive officer of the various state boards, authorities, commissions, councils, and other political agencies enumerated in this section in addition to those specified in RCW 43.17.020, shall on or before January 31st of each year, and every candidate (except for the offices of president, vice president and precinct committeeman) shall, within two weeks of becoming a candidate, and every person nominated for the appointive positions enumerated herein shall, within two weeks of being so nominated, file with the commission a written statement sworn as to its truth and accuracy stating for himself and his immediate family for the preceding twelve months:

- (a) Occupation, name of employer, and business address; and
- (b) Each direct financial interest in excess of five thousand dollars in a bank or savings account or cash surrender value of any insurance policy; each other direct financial interest in excess of five hundred dollars; and the name, address, nature of entity, nature and value of each such direct financial interest; and
- (c) The name and address of each creditor to whom the value of five hundred dollars or more was owed; the original amount of each debt to each such creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each such debt; and the security given, if any, for each such debt: PROVIDED, That debts arising out of a "retail installment transaction" as defined in chapter 63.14 RCW (Retail Installment Sales Act) need not be reported; and
- (d) Every public or private office, directorship and position as trustee held; and
- (e) All persons for whom actual or proposed legislation, rules, rates, or standards has been prepared, promoted, or opposed for current or deferred compensation; the description of such actual or proposed legislation, rules, rates or standards; and the amount of current or deferred compensation paid or promised to be paid; and
- (f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of five hundred dollars or more; the value of such compensation; and the consideration given or performed in exchange for such compensation; and
- (g) The name of any corporation, partnership, joint venture, association, union or other entity in which is held any office, directorship or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship or partnership; the nature of ownership interest; and with respect to each such entity the name of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union or other business or commercial entity from which such entity has received compensation in any form in the amount of five hundred dollars or more during the preceding twelve months and the consideration given or performed in exchange for such compensation; and
- (h) A list, including legal descriptions, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for such interest; and

(i) A list, including legal descriptions, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for such interest, and the name and address of the person furnishing such consideration; and

(j) A list, including legal descriptions, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which a direct financial interest was held: PROVIDED, That if a description of such property has been included in a report previously filed, such property may be listed, for purposes of this provision, by reference to such previously filed report;

(k) A list, including legal descriptions, of all real property in the state of Washington, the assessed valuation of which exceeds five thousand dollars, in which a corporation, partnership, firm, enterprise or other entity had a direct financial interest, in which corporation, partnership, firm or enterprise a ten percent or greater ownership interest was held; and

(l) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall by rule prescribe.

(2) Where an amount is required to be reported under subsection (1), paragraphs (a) through (k) of this section, it shall be sufficient to comply with such requirement to report whether the amount is less than one thousand dollars, at least one thousand dollars but less than five thousand dollars, at least five thousand dollars but less than ten thousand dollars, at least ten thousand dollars but less than twenty-five thousand dollars, or twenty-five thousand dollars or more. An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection shall be interpreted to prevent any person from filing more information or more detailed information than required.

(3) ~~((Elected officials and candidates))~~ All persons reporting under this section shall not be required to file the statements required to be filed with the secretary of state under RCW 42.21.060.

Upon receipt of such written statement as in this section provided for from any person whose appointment to any office or position is or has been made subject to the advice and consent of the senate or subject to confirmation of the senate, as required by the state Constitution or by statute, the commission shall immediately forward a copy thereof to the secretary of the senate for transfer to the proper senate committee considering consent thereto or confirmation thereof.

**NEW SECTION. Sec. 2.** There is added to chapter 44.08 RCW a new section to read as follows:

When any appointment to any office or position is or has been made subject to the advice and consent of the senate or subject to confirmation of the senate, as required by either the state Constitution or by statute, if the appointment is made during a legislative session and the legislature is in session for at least a thirty day period subsequent to such appointment, an appointee who is not confirmed by the senate shall be considered to have been rejected by the senate and shall not continue to serve in his appointed office or position and may not be reappointed to such office or position. If the appointment is made during a legislative session and the legislature is in session for less than a thirty day period subsequent to such appointment or if the appointment is not made during a legislative session, the appointment may be held until the next ensuing regular or special session, whichever convenes first, and if the appointment is not confirmed within thirty days after the commencement of that session, the appointee shall be considered to have been rejected and shall not continue to serve in his appointed office or position and may not be reappointed to such office or position.

Sec. 3. Section 6, chapter 150, Laws of 1965 ex. sess. as amended by section 1, chapter 188, Laws of 1969 ex. sess. and RCW 42.21.060 are each amended to read as follows:

Except for those public officials and officers filing written statements under RCW 42.17.240, every public official and such other public employees as may be provided for herein shall on or before January 31st of each year, and every candidate shall simultaneously with filing a declaration of candidacy, file with the secretary of state, a written statement of:

(1) The name of any corporation, firm or enterprise subject to the jurisdiction of a regulatory agency in which he has a direct financial interest of a value in excess of one thousand five hundred dollars: PROVIDED, That policies of insurance issued to himself or his spouse, accounts in banks, savings and loan associations or credit unions are not to be considered financial interests; and

(2) Every office or directorship held by him or his spouse in any corporation, firm or enterprise which is subject to the jurisdiction of a regulatory agency; and

(3) The name of any person, corporation, firm, partnership, or other business association from which he receives compensation in excess of one thousand five hundred dollars during the preceding twelve month period by virtue of his being an officer, director, employee, partner or member of any such person, corporation, firm, partnership or other business association; and

(4) As to attorneys or others practicing before regulatory agencies during the preceding twelve month period, the name of the agency or agencies and the name of the firm, partnership or association of which he is a member, partner, or employee and the gross compensation received by the attorney and the firm, partnership or association respectively for such practice before such regulatory agencies; and

(5) A list of legal description of all real property in the state of Washington, in which any interest whatsoever, including options to buy, was acquired during the preceding calendar year where the property is valued in excess of fifteen hundred dollars: PROVIDED, That legislators shall also comply with such rules or joint rules as they now exist or may hereafter be amended or adopted.

For the purposes of this section, and this section only, the Washington state personnel board, established by RCW 41.06.110, shall adopt and promulgate rules and regulations in accordance with the standards and policies set forth in RCW 41.06.150, delineating which classified personnel employed by the state shall be required to complete and file the financial statement set forth in sections 1 and 2 of this 1969 amendatory act, as they now exist or may hereafter be amended.

**NEW SECTION. Sec. 4.** If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 5.** This 1975 amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with the provisions of section 1, Article II, of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

On line 1 of the title after "public officials;" strike the remainder of the title and insert the following: "amending section 6, chapter 150, Laws of 1965 ex. sess. as amended by section 1, chapter 188, Laws of 1969 ex. sess. and RCW 42.21.060; amending section 24, chapter 1, Laws of 1973 and RCW 42.17.240; creating new sections; adding a new section to chapter 44.08 RCW; and providing for the submission of this act to a vote of the people."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Erickson, Hawkins, Knowles, Lysen, Sherman.

**MINORITY recommendation:** Do not pass. Signed by Representatives Barnes, Brown, Tilly.

To Committee on Rules for second reading.

#### SECOND READING

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Chandler, Dunlap, Haussler, Leckenby and Polk.

#### MOTION

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

**SUBSTITUTE HOUSE BILL NO. 863,** by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol and Shinpoch):

Adopting a budget for the department of social and health services.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Mrs. Hurley (Margaret) moved adoption of the following amendment by Representatives Hurley (Margaret) and Berentson:

On page 2, line 16 after "programs" insert "No portion of this appropriation shall be spent to enable an inmate who is serving a term of imprisonment for a conviction of first degree murder or for a conviction of forcible rape to leave the institution in order to participate in any educational or rehabilitative program except during the last six months of the sentence."

Representatives Hurley (Margaret), Berentson and Schumaker spoke in favor of the amendment, and Mr. Randall spoke against it.

Mr. Randall moved adoption of the following amendment to the Hurley/Berentson amendment:

On the last line of the amendment strike "six" and insert "twenty-four"

Representatives Randall and Pardini spoke in favor of the amendment to the amendment, and Mr. Deccio spoke against it.

Mr. Conner demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the Randall amendment to the Hurley/Berentson amendment to page 2, line 16 of Substitute House Bill No. 863, and the amendment to the amendment was adopted by the following vote: Yeas, 61; nays, 32; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Greengo, Haley, Hanna, Hawkins, Hurley G. S., Kalich, King, Knowles, Laughlin, Lee, Lysen, Martinis, Maxie, McCormick, Moon, Moreau, Nelson, North, Pardini, Parker, Perry, Peterson, Randall, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Bond, Ceccarelli, Deccio, Eikenberry, Freeman, Gaspard, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kilbury, Kuehne, Luders, Matthews, May, McKibbin, Newhouse, O'Brien, Paris, Patterson, Savage, Schumaker, Seeberger, Tilly, Whiteside, Wilson.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

The amendment by Representatives Hurley (Margaret) and Berentson as amended was adopted.

Mr. Hanna moved adoption of the following amendment:

On page 2, line 20 after "\$1,948,568" insert "meet existing workload increases by expending not more than an additional 66 FTE staff years and by the additional expenditure of not more than \$1,004,155"

Mr. Hanna spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Hansey.

Mr. Hansey: "Can you tell us how much this would increase the budget?"

Mr. Hanna: "It would increase the budget \$1,004,155."

Mr. Shipoch spoke in opposition to the amendment, and it was not adopted.

Mr. Hanna moved adoption of the following amendment:

On page 3, following subsection (e) insert:

"(f) the department shall expend \$1,064,482 to continue and expand the adult probation subsidy program. Not more than \$764,482 of this appropriation shall be expended to continue community programs in Island, King, Snohomish and Walla Walla/Columbia Counties. Not more than \$300,000 of this appropriation shall be used to continue a community halfway house program in Pierce County."

Mr. Hanna spoke in favor of the amendment, and Mr. Shipoch spoke against it.

The amendment was not adopted.

Mr. Hanna moved adoption of the following amendment by Representatives Hanna, Pardini and Bender:

On page 3, following subsection (f) insert:

"(g) the department shall expend an additional \$1,000,000 to continue and expand the adult probation subsidy program."

Mr. Hanna spoke in favor of the amendment, and Mr. Shipoch spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representatives Hanna, Pardini and Bender:

On page 3, following line 2 insert:

"(f) the department shall reallocate from funds approved in sections 2 through section 12 of this act the sum of \$1,000,000 general fund money, to continue and expand the adult probation subsidy program. It is the intent of the legislature that the recommendations of the correctional development task force shall be followed concerning the continuation of the adult probation subsidy programs and that the department shall continue with the development and refinement of standards for this program. It is also the intent of the legislature that funds allocated to this program will come from staff and dollar reductions to occur in the various appropriations in this act for the program support categories. The department shall give first consideration to staff reductions that will eliminate duplication and multiple layers of management in its adult corrections program, personnel organization and in its regional staff organizations."

With the consent of the House, Mr. Hanna withdrew the amendment.

The Clerk read the following amendments by Representative Hanna:

On page 3, line 24 strike "1,227" and insert "1131.5"



On page 3, line 26 strike "135" and insert "39.5"  
 On page 3, line 27 strike "\$1,434,194" and insert "\$434,194"  
 On page 3, line 31 strike "116" and insert "20.5"  
 On page 3, line 33 strike "\$1,213,766" and insert "\$213,766"

With the consent of the House, Mr. Hanna withdrew the amendments.

Mr. Leckenby appeared before the bar of the House.

Mr. Bauer moved adoption of the following amendment by Representatives Bauer, Fischer, Douthwaite, King, Fortson, Zimmerman and Haussler:  
 On page 3, line 12 strike "\$195,050" and insert "\$345,050"

Representatives Bauer, Zimmerman and Hanna spoke in favor of the amendment, and Representatives Bagnariol and Shinpoch spoke against it.

Mr. Bauer spoke again in favor of the amendment, and Mr. Adams spoke in opposition to it.

The amendment was not adopted.

The Clerk read the following amendments by Representatives Bauer, Fischer, Douthwaite, King, Fortson, Zimmerman and Haussler:

On page 3, line 19 strike "and"  
 On page 3, line 21 strike the period and insert "; and"  
 On page 3, following line 21 insert the following:

"(d) \$150,000 to be allocated to Clark County to match available federal and local funds for a community based correctional program."

With the consent of the House, Mr. Bauer withdrew the amendments.

Mr. Hanna moved adoption of the following amendment by Representatives Hanna and Becker:

On page 5, line 10 strike "\$1,750,729" and insert "\$2,750,729"

Representatives Hanna and Zimmerman spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representatives Hanna and Becker:  
 On page 5, following line 32 add:

"(d) Funding for expansion and improvement of the juvenile probation subsidy program by the expenditure of not more than \$1,000,000."

With the consent of the House, Mr. Hanna withdrew the amendment.

Mr. Hanna moved adoption of the following amendment by Representatives Hanna, Tilly and Adams:

On page 4, line 8 strike all of subsection (4) and insert:

"(4) SPECIAL PROJECTS. The department shall expend not more than 28.0 FTE staff years during the 1975-77 biennium within the special projects category: PROVIDED, That \$188,363 is from state funds and \$291,767 is from federal funds..... \$480,130"

Representatives Hanna, Bagnariol and Tilly spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Newhouse.

Mr. Newhouse: "In looking over this amendment, I find that it strikes existing subsection (4) which provides for federal funds of \$362,509 and I'm somewhat amazed that by this amendment we get less federal money but take \$188,000 from state funds. Can you explain why the striking language?"

Mr. Bagnariol: "I will yield to Mr. Tilly to answer this."

Mr. Tilly: "My understanding from the Office of Program Planning and Fiscal Management is that there was a \$70,000 error and this corrects that error."

Mr. Bagnariol: "In two pieces we have \$108,000 of LEAA funds available to continue the project and that's included in this thing for minorities at the penitentiaries, and then it will be \$188,363 in state funds to match the \$371,000 that will be available from the LEAA fund."

The amendment was adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 4, line 36 after "session" insert ": PROVIDED, That the department is authorized to provide child welfare services to a person who at the time of attaining the age of eighteen years is receiving such services pursuant to chapter 74.13 RCW and who is attending school, through the end of the recipient's high school program but in no event shall such services be extended beyond the age of twenty-one years"

Representatives Kuehnle, Pardini and Bagnariol spoke in favor of the amendment.

The amendment was adopted.

Mr. Kalich moved adoption of the following amendments by Representatives Kalich, Jastad and Adams:

On page 5, line 36 strike "968.8" and insert "1117.3"

On page 6, after line 6 add "the department shall continue operation of the Green Hill Juvenile Rehabilitation facility during the 1975-77 biennium."

On page 6, line 7 strike "\$13,641,129" and insert "\$15,530,871"

On page 6, line 18 strike "382.1" and insert "437.4"

On page 6, line 22 strike "\$8,306,474" and insert "\$9,551,227"

On page 6, line 23 strike "\$42,400" and insert "\$49,600"

On page 6, line 23 strike "\$8,348,874" and insert "\$9,600,827"

Mr. Kalich spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Kalich yielded to question by Mr. Pardini.

Mr. Pardini: "I'm a little bit confused by your remark when you said that this was no increase in expenditure. Did you mean specifically that this is an increase over the level that was run through 1973-75 or an increase in expenditure over the Ways and Means Committee figures?"

Mr. Kalich: "The total last year was \$4.2 million to run Green Hill and actually this year it's a little under \$4.4, so you're talking about just a small increase over the last biennium, but I say it isn't any expense like you see here on this paper. We're already spending this money to keep it open and actually we would have to spend that money someplace. You can't turn 133 children out in the open that are now in correctional units."

Mr. Pardini: "Your amendment on page 6, line 7 says strike \$13 million and insert \$15 million—normally that means an increase."

Mr. Kalich: "Yes, I agree with you, it is an increase. I didn't deny that. What I meant to say and maybe I didn't use the exact words, it is \$.2 million over the last biennium."

Representatives Jastad and Adams spoke in favor of the amendments.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Mr. Deccio spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Eikenberry.

Mr. Eikenberry: "Being very concerned about the passage or defeat of this amendment, maybe you could advise us of the reasoning as to why this particular appropriation was not included in the budget proposed by the Ways and Means Committee?"

Mr. Shinpoch: "As you were aware, it was not included in the Governor's budget and that's the base that we started from. We got down, about a week or ten days ago, to digging deeply into the capital budget and we found that. The reason that it was not in was that we basically accepted the Governor's proposal. I guess the thing that made us wonder whether we were doing it correctly, the thing that really started making us dig for the last week (and we still don't have all the answers we are looking for) is that there is about \$3.5 million of capital construction in other places that seemed to be designed to house these people, and we couldn't find out what the operating impact would be for that additional capital facility. We do have about \$.5 million that has to be done at this facility also. We, very frankly, were not able to do the cost trades that I would consider necessary in order to make an extremely legitimate decision. I think that somewhere we are going to have to make a decision without all of the—I say necessary, but we never have all the data that I think is necessary to make

these decisions, but we make them anyway. We really haven't been able to make the cost trades and I expect that I'll be uncomfortable whichever way it goes."

Mr. Hurley (George) spoke in favor of the amendment.

Mr. Chatalas demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Kalich, Jastad and Adams to Substitute House Bill No. 863, and the amendments were adopted by the following vote: Yeas, 56; nays, 38; not voting, 4.

Voting yea: Representatives Adams, Barnes, Becker, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Maxie, May, McCormick, Moon, O'Brien, Paris, Parker, Perry, Peterson, Savage, Sherman, Smith E. P., Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Bauer, Bausch, Bender, Barentson, Blair, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Jueling, Kuehnle, Leckenby, Martinis, Matthews, McKibbin, Moreau, Nelson, Newhouse, North, Pardini, Patterson, Randall, Schumaker, Seeberger, Shipnosh, Smith R., Sommers, Tilly, Whiteside.

Not voting: Representatives Chandler, Dunlap, Haussler, Polk.

#### MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House recessed until 1:15 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Chandler, Dunlap, Haussler, Leckenby and Polk, who were excused.

Mr. Charette demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Chandler, Dunlap, Haussler, Leckenby and Polk.

#### MOTION

On motion of Mr. Charette, the absent members were excused, and the House proceeded with business under the Call of the House.

#### SECOND READING

##### SUBSTITUTE HOUSE BILL NO. 863:

The House resumed consideration of the bill on second reading.

Mr. Matthews moved adoption of the following amendment:

On page 10, line 18 strike "30" and insert "8"

Representatives Matthews, Haley and Pardini spoke in favor of the amendment, and Representatives Charette and Conner spoke against it.

Mr. Conner demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Matthews to page 10 of Substitute House Bill No. 863, and the amendment was not adopted by the following vote: Yeas, 27; nays, 66; not voting, 5.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Curtis, Deccio, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Juelling, Kuehnle, Lee, Matthews, Newhouse, Pardini, Paris, Peterson, Schumaker, Tilly, Whiteside.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

The Clerk read the following amendments by Representative Matthews:

On page 10, line 20 after "category" strike all material through line 24.

On page 10, line 25 strike "\$1,158,074" and insert "\$1,116,487"

With the consent of the House, Mr. Matthews withdrew the amendments.

Mr. Ehlers moved adoption of the following amendment by Representatives Ehlers, Erickson, Hawkins, Hanna, Conner, Gaspard, Randall and Smith (Rick):

On page 10, following the paragraph ending on line 12 insert a new paragraph as follows:

"It is the intent of the Legislature that the Department of Social and Health Services shall not phase out domiciliary care in the veterans' home at Retsil and the soldiers' home and colony at Orting: PROVIDED, HOWEVER, That nothing in this section shall preclude the department from moving residents between nursing and domiciliary care in order to better utilize facilities."

#### POINT OF ORDER

Mr. Pardini: "I would challenge the scope and object of Representative Ehlers' amendment. We are dealing with an appropriation bill, an act adopting the budget for the Department of Social and Health Services; Representative Ehlers' amendment mentions the Department of Social and Health Services, but it deals with the income of Washington veterans and excess of allowable income standards and where they are going to be deposited, where they are going to be held and how they are going to be held—excuse me, Mr. Speaker, I wasn't looking at the revised Ehlers' amendment, but now that I look at it, I also submit that it is beyond the scope and object of the bill."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The amendment sets forth policy matter that the legislature wants to adopt relevant to the phasing out of domiciliary care at the veterans' homes in Retsil and Orting, and I think it would enter the scope and object of the budget provisions. The amendment is in order."

Mr. Ehlers spoke in favor of the amendment, and Mr. Shipoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ehlers and others to page 10, line 12 of Substitute House Bill No. 863, and the amendment was adopted by the following vote: Yeas, 82; nays, 11; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Brown, Curtis, Gilleland, Knowles, Kuehnle, Luders, Pardini, Schumaker, Tilly, Whiteside.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

Mr. Ehlers moved adoption of the following amendment by Representatives Ehlers, Erickson, Hawkins, Hanna, Conner, Gaspard, Randall and Smith (Rick):

On page 10, line 27 after "SERVICES." and before the paragraph then following, insert three paragraphs to read as follows:

"The Department of Social and Health Services shall by October 1, 1975, propose rules and regulations for the Washington Veterans' and Soldiers' homes defining eligibility for membership. These rules and regulations shall include definitions of allowable income. The allowable income of members accepted for membership on or before December 1, 1975, shall not be decreased during periods these members are

in domiciliary care below \$140.00 per month: PROVIDED, All income of members of Washington Veterans' home in excess of allowable income standards shall be deposited in an account of the general fund known as the Veterans Home Welfare Account. Funds in this account may be expended by the Secretary for the welfare and benefit of all the members of the Washington Veterans' Home. The Secretary may authorize expenditures from this account on the recommendation of the members of the Washington Veterans' Home.

All income of members of Washington Soldiers' Home in excess of allowable income standards shall be deposited in an account of the general fund known as the Soldiers' Home Welfare Account. Funds in this account may be expended by the Secretary for the welfare and benefit of all the members of the Washington Soldiers' Homes. The Secretary may authorize expenditures from this account on the recommendation of the members of the Washington Soldiers' Home."

Representatives Ehlers, Randall and Parker spoke in favor of the amendment, and Representatives Shinpoch, Sommers and Matthews spoke against it.

Mr. Ehlers spoke again in favor of the amendment.

Mr. Conner demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ehlers and others to page 10, line 27 of Substitute House Bill No. 863, and the amendment was adopted by the following vote: Yeas, 51; nays, 42; not voting, 5.

Voting yea: Representatives Adams, Bauer, Bausch, Becker, Bender, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, McCormick, Moon, Moreau, Newhouse, North, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Smith E. P., Smith R., Thompson, Valle, Warnke, Whiteside, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Berentson, Blair, Boldt, Bond, Brown, Charnley, Curtis, Deccio, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Juelling, Kuehnle, Lee, Luders, Matthews, Maxie, May, McKibbin, Nelson, O'Brien, Pardini, Paris, Peterson, Schumaker, Shinpoch, Sommers, Tilly, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

On motion of Mr. Ehlers, the following amendments by Representatives Ehlers, Erickson, Hawkins, Hanna, Conner, Gaspard, Randall and Smith (Rick) were adopted:

On page 10, line 32 after "than" strike "\$869,372" and insert "\$818,329"

On page 10, line 34 after "Upgrading" insert "the Nursing Component of"

Mr. Matthews moved adoption of the following amendment by Representatives Matthews and Deccio:

On page 10, line 28 strike "332.1" and insert "286.7"

Mr. Matthews spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Matthews spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Matthews and Deccio to page 10, line 28 of Substitute House Bill No. 863, and the amendment was not adopted by the following vote: Yeas, 36; nays, 57; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Blair, Bond, Brown, Chatalas, Curtis, Deccio, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Kuehnle, Lee, Lysen, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

The Clerk read the following amendments by Representatives Matthews and Deccio:

On page 10, line 31 strike "45.4 FTE staff years and not more than \$869,372" and insert "\$95,943"

On page 10, line 34, strike all of subsections (a) and (b) and renumber the remaining subsections accordingly.

On page 11, line 13 strike "\$3,462,329" and insert "\$2,688,900"

On page 11, line 14, strike "\$4,138,119" and insert "\$3,364,690"

With the consent of the House, Mr. Matthews withdrew the amendments.

Mr. Matthews moved adoption of the following amendment by Representatives Matthews and Deccio:

On page 11, line 12 after "Appropriation:" and before "PROVIDED" insert "PROVIDED, That the department shall operate the nursing sections of these facilities and comply with the same conditions imposed on all other nursing homes in this state under Title XIX and the Cost Reimbursement System."

Mr. Shinpoch moved adoption of the following amendment to the amendment:  
On line 4 of the amendment strike "and the Cost Reimbursement System"

Representatives Shinpoch and Parker spoke in favor of the amendment to the amendment, and Representatives Pardini and Curtis spoke against it.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Shinpoch, you are connected with private industry in which it is necessary to make a profit in order to exist. Are you telling us here that you expect the private nursing home industry which is now the method that we are using for the care of our older people in nursing homes, to operate with a lesser rate than you are going to expect the state-owned facilities to operate and still make a profit?"

Mr. Shinpoch: "No, Representative Deccio, I am not attempting to tell you that at all and I didn't talk to that at all. What I am attempting to say is that the Matthews and Deccio amendment talks to Title XIX and the Cost Reimbursement System and what we heard about up until the amendment to the amendment was the Title XIX requirement and the difference between. What I was attempting to point out was that Title XIX was a red herring; that it has nothing to do with the thrust of the amendment. Had Representative Matthews and Representative Deccio proposed a pilot project at Orting to find out what it actually costs to provide a particular level of service, then I think that would have probably have been legitimate, but that's not what you are attempting to do at all. What you are attempting to do is to impose a cost reimbursement system that is used in private industry on a state-owned institution and I think that isn't going to give you the answer. The nursing home people wanted the cost reimbursement system. My judgment of that cost reimbursement system that you have—I guess my opinion of it—is quite low at this point in time. Irrespective of that, it isn't going to tell you anything to pose this on; all it's going to do is cause problems and it isn't going to do anything for you. Now if you really want to know what it costs, then I suggest you put an amendment up here that will put a pilot project in there that will establish those costs and then you'll probably get some support from me. I don't find the thrust of your amendment to be in that direction at all."

Mr. Deccio spoke against adoption of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Shinpoch to the Matthews/Deccio amendment to page 11, line 12 of Substitute House Bill No. 863, and the amendment to the amendment was adopted by the following vote: Yeas, 62; nays, 31; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Randall, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wjahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chatalas, Curtis, Deccio, Eikenberry, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehne, Lee, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Savage, Schumaker, Tilly, Whiteside, Wilson.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the Matthews/Deccio amendment as amended.

Mr. Matthews stated that with the request of the House, he would withdraw the amendment as amended.

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Representative Matthews, it appears that your amendment has now been amended, and so it isn't your amendment in its entirety."

Mr. Matthews spoke against adoption of the amendment as amended.

The amendment was not adopted.

The Speaker assumed the Chair.

On motion of Mr. Ehlers the following amendments by Representatives Ehlers, Erickson, Hawkins, Hanna, Conner, Gaspard, Randall and Smith (Rick) were adopted:

On page 11, line 8 after the semicolon strike all language down to and including "\$50,943" on line 11.

On page 11, line 19 after "years and" strike "\$231,073" and insert "\$132,526"

On page 11, line 22 strike subsection (a) and renumber the remaining subsections consecutively.

On page 11, line 13 strike "\$3,462,329" and insert "\$3,411,386"

On page 11, line 14 strike "\$4,138,119" and insert "\$4,087,176"

On page 11, line 32 strike "\$4,583,186" and insert "\$4,484,675"

On motion of Mr. Shinpoch, the following amendment was adopted:

On page 11, line 14 strike "federal" and insert "local"

Ms. Becker moved adoption of the following amendment:

On page 12, line 20 following "criteria," insert the following "the department shall:

(a) Develop and implement as soon as possible revised program standards for continuing general assistance, after development of adequate caseload profile information, that shall include, but not necessarily be limited to, medical determination of physical or mental disabilities, more stringent eligibility criteria for caseload associated with emotional, alcoholism or drug connected cases and adequate evaluation of treatment programs and an approval process for such treatment programs. In addition, the department shall:

(b) Submit proposed revised program standards, control systems and cost estimates to the legislative budget committee or its statutory successor no later than December 1, 1975, for its review and approval. To fund grants for general assistance clients who qualify under the standards established in (a) immediately above the department is authorized to expend not more than \$3,200,000 for the period July 1, 1975 through February 28, 1976."

Representatives Becker and Cochrane spoke in favor of the amendment.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Becker to page 12, line 20 of Substitute House Bill No. 863, and the amendment was adopted by the following vote: Yeas, 47; nays, 46; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bausch, Becker, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Fischer, Gaines, Gaspard, Hanna, Hawkins, Hurley G. S., Kilbury, King, Lysen, Martinis, Maxie, Moon, Moreau, Nelson, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Bender, Berentson, Boldt, Bond, Brown, Curtis, Deccio, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Knowles, Kuehne, Laughlin, Lee, Luders, Matthews, May, McCormick, McKibbin, Newhouse, Pardini, Paris, Patterson, Peterson, Schumaker, Tilly, Whiteside, Wilson, Wojahn.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

Mr. Parker moved adoption of the following amendment by Representatives Parker, Chatalas and Wojahn:

On page 12, line 27 following "than" strike "\$54,509,432" and insert "\$74,144,942"

Mr. Parker spoke in favor of the amendment.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Is it correct—my impression is that we have not adopted the two amendments by Representative Becker on page 12, lines 35 and line 36—the ones that increase it by about \$3 million? They have not been before the body?"

The Speaker: "They have not been adopted for the simple reason that we have higher amounts that we have to consider first and then we progress. The first time we adopt a higher amount, then we are through."

Mr. Bagnariol spoke against adoption of the amendment.

The amendment was not adopted.

Ms. Becker moved adoption of the following amendment by Representatives Becker and Hanna:

On page 12, line 27 strike "\$54,509,432" and insert "\$59,486,991"

Ms. Becker spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Newhouse.

Mr. Newhouse: "The tone of this amendment seems to be that somewhere there is authority within this budget bill to grant bimonthly grants rather than monthly grants and that money would be saved by that, but this amendment would put it back on a monthly basis. Is there such language in the bill that can be identified by someone who can just read the English language?"

Mr. Bagnariol: "Starting on line 5 of page 14, I guess that's as close to the language that we will find. It reads, 'The department shall expend not more than 125.6 FTE staff years and not more than \$1,414,341 shall be expended for twice-monthly grants and monthly reporting of earned income.' I believe that they have the authority to do this without that language in the budget bill, Representative Newhouse."

Representatives Cochrane and Zimmerman spoke in favor of the amendment, and Representatives Bagnariol, Hurley (Margaret) and Parker spoke against it.

Mr. Conner demanded the previous question and the demand was sustained.

The amendment was not adopted.

Mr. Matthews moved adoption of the following amendment by Representatives Matthews, Bond and Deccio:

On page 12, line 30 strike all of subsection (b)

Mr. Matthews spoke in favor of the amendment.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Mr. Shinpoch spoke in opposition to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Matthews, Bond and Deccio to page 12, line 30 of Substitute House Bill No. 863, and the amendment was not adopted by the following vote: Yeas, 28; nays, 65; not voting, 5.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Curtis, Deccio, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Lee, Matthews, Nelson, Newhouse, Pardini, Patterson, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

Ms. Becker moved adoption of the following amendments:

On page 12, line 35 strike "\$169,642,537" and insert "\$172,842,537"

On page 12, line 36 strike "\$322,398,840" and insert "\$325,598,840"

Ms. Becker spoke in favor of the amendments.

Mr. Hansey demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Becker to page 12 of Substitute House Bill No. 863, and the amendments were adopted by the following vote: Yeas, 50; nays, 43; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Eng, Fischer, Gaines, Gallagher,



Gaspard, Hanna, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Laughlin, Lysen, Martinis, Maxie, Moon, Moreau, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bender, Berentson, Bond, Brown, Clemente, Curtis, Deccio, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Juelling, Knowles, Kuehnle, Lee, Luders, Matthews, May, McCormick, McKibbin, Nelson, Newhouse, North, Pardini, Paris, Patterson, Peterson, Schumaker, Tilly, Whiteside, Wilson, Wojahn.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

Mr. Matthews moved adoption of the following amendment:

On page 13, line 6 after "(a)" strike all language down to "by" on line 7 and insert "complete the implementation of Title XIX intermediate care"

Mr. Matthews spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

The amendment was not adopted.

Mr. Parker moved adoption of the following amendments by Representatives Parker, Fortson, Greengo, Fischer, Jastad, Wojahn, Savage, Adams and Paris:

On page 13, line 12 after "facilities" strike all language down to "by" on line 15

On page 13, line 16 after "than" strike "\$1,623,281." and insert "\$2,454,822: PROVIDED, That in order to keep within the amount appropriated herein for Title XIX care the department shall establish maximum levels of payment for intermediate care coordinated with required standards."

On page 13, line 18 strike "\$12,284,937" and insert "\$12,688,318"

On page 13, line 19 strike "\$13,743,056" and insert "\$14,171,216"

On page 13, line 19 strike "\$26,027,993" and insert "\$26,859,534"

Mr. Parker spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "If I follow you, Representative Parker, the first one, starting on line 12 after 'facilities,' deals with scheduled increases in the federal minimum wage law and the one you were speaking to deals with standards for intermediate care. You didn't comment about the federal minimum wage and I'm curious as to whether the first part of your amendment somehow exempts us from the requirement of the federal minimum wage?"

Mr. Parker: "No, actually, Representative Douthwaite, I was speaking to the broad concept of all the amendments since I moved all of them at one time. The Ways and Means Committee had made some provisions for increases in minimum wage. I have a letter from Neil Peterson, the director of management in the budget division, and in terms of what it would cost to lift the freeze and the department's estimate of that was \$12,648,196, of which \$5,880,401 would be state money to lift the freeze that we have imposed. On July 1, 1975, that would bring up the average payment for skilled nursing facilities up to about \$17 per patient day and in intermediate care facilities it would bring it up to about \$13 per day. I didn't really speak specifically to any one of the amendments; I spoke in terms of the broad concept of raising the standard so that we can lift the lid and the freeze that has now been imposed upon vendor payments and bring it up to an acceptable level where the state is paying its own way for state imposed standards."

Representative Matthews spoke in favor of the amendments, and Representatives Douthwaite and Shinpoch spoke against them.

Mr. Conner demanded the previous question and the demand was sustained.

Mr. Hansey demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Parker and others to page 13 of Substitute House Bill No. 863, and the amendments were adopted by the following vote: Yeas, 54; nays, 39; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Berentson, Blair, Boldt, Bond, Ceccarelli, Charnley, Chatalas, Cochrane, Conner, Deccio, Douthwaite, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Greengo, Hanna, Hansey, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, May, Moon, Nelson, Newhouse, Paris, Parker, Patterson, Perry, Peterson, Savage, Seeberger, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Brown, Charette, Clemente, Curtis, Ehlers, Eikenberry, Flanagan, Freeman, Gaspard, Gilleland, Haley, Hansen, Hayner, Hendricks, Jueling, Knowles, Luders, Maxie, McCormick, McKibbin, Moreau, North, O'Brien, Pardini, Randall, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, and Mr. Speaker.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

Mr. Matthews moved adoption of the following amendments by Representatives Matthews and Bond:

On page 13, line 21 strike "83.2" and insert "35.7"

On page 13, line 24 strike "47.5 FTE staff years and not more than \$1,081,114" and insert "\$752,805"

On page 13, line 33 strike all of subsection (c)

On page 14, line 1 strike everything after "Appropriation:" and insert "\$4,258,447"

Mr. Matthews spoke in favor of the amendments, and Mr. Bagnariol spoke against them.

Mr. Hansey demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Matthews and Bond to pages 13 and 14 of Substitute House Bill No. 863, and the amendments were not adopted by the following vote: Yeas, 31; nays, 62; not voting, 5.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Curtis, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jastad, Jueling, Kuehne, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

On motion of Mr. Shinpoch, the following amendments were adopted:

On page 14, line 5 strike "1,689.3" and insert "1,676.1"

On page 14, line 14 strike "16,940,486" and insert "16,552,277"

On page 14, line 14 strike "24,841,500" and insert "24,453,291"

On motion of Mr. Shinpoch, the following amendments were adopted:

On page 27, line 14 strike "321.7" and insert "386.0"

On page 27, line 28 strike "3,560,556" and insert "4,444,599"

On page 27, line 29 strike "2,349,139" and insert "2,772,214"

On page 27, line 29 strike "5,909,695" and insert "7,216,813"

Mr. Pardini moved adoption of the following amendment:

On page 14, beginning on line 8 strike all of the material down to and including "income" on line 11

Mr. Pardini spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Kuehne.

Mr. Kuehne: "I guess I don't understand this subject matter, but can you explain to me what kind of rationale is used to come up with a conclusion that it is cheaper to pay twice a month than it is to pay once a month? I don't follow it at all and I would like to know fundamentally what we are talking about."

Mr. Shinpoch: "What it amounts to are those people that are on once. You are having to report your income twice a month and those people who go to work in the first or second week of the month then will be off of public assistance and will not receive subsistence payments for that month—for the last two weeks of that month—they will only receive it for the first two weeks of the month. It is estimated that we are talking about \$4,997,000 in that area. Now to mail those checks out, prepare those checks and do the twice-monthly thing costs about \$3.1 million. We have a net in this of around \$1.8 million savings by going to a twice-monthly grant."

Mr. Kuehne: "I follow you up to a point, but isn't there a much simpler way of doing this thing? Why do we pay them for a month just because they were off work for two weeks and then they went on for two weeks? Why can't we, on a once-a-month basis, just change the reporting forms so that we are paying them for one week of public assistance, or two weeks or three weeks, whatever they qualified for, but do it on a once-a-month basis? It

would seem to me that then we could enjoy all of the savings associated with payment—once-a-month and at the same time pick up whatever savings might be associated with not paying for the full month. Paying for the whole month just because we are paying monthly is ridiculous in my estimation and this is a weird solution."

Mr. Bagnariol: "I guess the only answer I could give to your remarks, Representative Kuehnle, is that the department pays in advance for a full month of income maintenance so if a person goes to work two weeks into that month there is no way of recovering that money—that's the real problem."

Mr. Matthews spoke in favor of the amendment, and Mr. Zimmerman spoke against it.

Mr. Conner demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini on page 14, line 8 of Substitute House Bill No. 863, and the amendment was not adopted by the following vote: Yeas, 44; nays, 49; not voting, 5.

Voting yea: Representatives Amen, Bauer, Becker, Bender, Berentson, Blair, Bond, Brown, Clemente, Cochrane, Curtis, Deccio, Ehlers, Eng, Erickson, Freeman, Gaines, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Kuehnle, Laughlin, Lee, Matthews, May, Moon, Nelson, Newhouse, Pardini, Patterson, Perry, Peterson, Schumaker, Tilly, Valle, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bausch, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Eikenberry, Fischer, Flanagan, Fortson, Gallagher, Gaspard, Haley, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, North, O'Brien, Paris, Parker, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Chandler, Dunlap, Haussler, Leckenby, Polk.

Ms. Becker moved adoption of the following amendment by Representatives Becker and Hanna:

On page 15, line 36 strike "2,040.6" and insert "2,360.6"

Representatives Becker and Hurley (George) spoke in favor of the amendment, and Representatives Bagnariol, Deccio and Shipoch spoke against it.

The amendment was not adopted.

Mr. Matthews moved adoption of the following amendments by Representatives Matthews, Bond and Deccio:

On page 16, line 32 strike "38,020,820" and insert "37,520,820"

On page 16, between lines 32 and 33 insert the following:

"500,000 is from local funds"

Mr. Matthews spoke in favor of the amendments, and Mr. Bagnariol spoke against them.

The amendments were not adopted.

#### MOTIONS

On motion of Mr. Charette, the House advanced to the eighth order of business.

On motion of Mr. Thompson, HOUSE BILL NO. 845 was rereferred from Committee on Agriculture to Committee on Ways and Means - Revenue.

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Wednesday, April 16, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

### THIRTY-FOURTH DAY

#### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 16, 1975.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, McCormick and Pardini, who were excused.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Adams, Leckenby, McCormick and Pardini.

#### MOTION

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan Thompson and Alan Erickson. Prayer was offered by Reverend Henry S. Rahn of the First Baptist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGE FROM THE SENATE

April 15, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2083,  
 ENGROSSED SENATE BILL NO. 2181,  
 SECOND SUBSTITUTE SENATE BILL NO. 2241,  
 SUBSTITUTE SENATE BILL NO. 2243,  
 ENGROSSED SENATE BILL NO. 2265,  
 SENATE BILL NO. 2328,  
 ENGROSSED SENATE BILL NO. 2367,  
 ENGROSSED SENATE BILL NO. 2395,  
 ENGROSSED SENATE BILL NO. 2411,  
 SENATE BILL NO. 2910,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2083, by Senators Pullen, Rasmussen and Henry:

Prohibiting possession of weapons on capitol grounds.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2181, by Senators Francis, Day, Lewis (Harry), Marsh, Bottiger, Rasmussen and Murray:

Defining gravely disabled.

To Committee on Social and Health Services

SECOND SUBSTITUTE SENATE BILL NO. 2241, by Committee on Labor (Originally sponsored by Senators Ridder, Marsh and Matson):

Authorizing resumption of payments to a widow of a workman after remarriage has terminated.

To Committee on Labor

SUBSTITUTE SENATE BILL NO. 2243, by Committee on Judiciary (Originally sponsored by Senators North and Francis – by Uniform Law Commission request):

Revising laws of filiation proceedings and enacting the uniform parentage act.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2265, by Senators Woody, Walgren and Bluechel:

Revising regulations of alien banks.

To Committee on Financial Institutions

SENATE BILL NO. 2328, by Senators Guess, Bottiger and Lewis (Bob) – (by Department of Highways request):

Providing a change in the distribution and utilization of motor vehicle fuel and use taxes.

To Committee on Transportation and Utilities

ENGROSSED SENATE BILL NO. 2367, by Senators Bottiger, Beck and Matson (by Utilities and Transportation Commission request):

Making certain changes in the laws relating to transportation.

To Committee on Transportation and Utilities

ENGROSSED SENATE BILL NO. 2395, by Senators Woody, Marsh and Buffington:

Raising court reporters' salaries.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2411, by Senators Bailey, Stortini, Benitz and Lewis (Harry):

Creating credit union share guaranty association.

To Committee on Financial Institutions

SENATE BILL NO. 2910, by Senators Bottiger and Walgren:

Increasing fee to county auditor appointed by the director to issue vehicle license plates.

To Committee on Transportation and Utilities

#### REPORTS OF STANDING COMMITTEES

April 15, 1975

HOUSE BILL NO. 206, Prime Sponsor: Representative Bagnariol, adopting the capital budget. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman – Appropriations; Randall, Chairman – Revenue; Bausch, Boldt, Charette, Curtis, Ehlers, Flanagan, Gaspard, Hurley (George), Hurley (Margaret), Luders, McKibbin, Moreau, North, Pardini, Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

April 15, 1975

HOUSE BILL NO. 536, Prime Sponsor: Representative Ceccarelli, providing for regulation of health care service contractors. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 after "contractors" insert ", except for prepaid group practice plans which deliver services directly to a voluntarily enrolled group of members,"

Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Bagnariol, Chatalas, Leckenby, McCormick, Pardini, Parker.

To Committee on Rules for second reading.

April 15, 1975

HOUSE BILL NO. 683, Prime Sponsor: Representative Ceccarelli, providing new regulations for banks and banking relating to illegal and unsound practices. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Chatalas, Eikenberry, Leckenby, McCormick, Pardini, Parker.

To Committee on Rules for second reading.

April 15, 1975

HOUSE BILL NO. 792, Prime Sponsor: Representative Martinis, requiring certain reports relating to investments. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Bagnariol, Chatalas, Lysen, McCormick, Pardini, Parker.

To Committee on Rules for second reading.

April 15, 1975

HOUSE BILL NO. 793, Prime Sponsor: Representative Polk, providing for a basic skills educational accountability system within grades k through 6 with initial pilot projects in two local school districts. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 9 after "by" strike "local" and insert "state"

On page 3, line 4 after "shall" insert "establish a local advisory committee,"

On page 3, add a new section following section 7 as follows:

"NEW SECTION. Sec. 8. There is hereby appropriated from the general fund to the state superintendent of public instruction the amount of seven hundred eighty-five thousand dollars or so much thereof as is necessary to carry out the purposes of this chapter."

On page 1, line 4 of the title after "thereto," strike "and" and after "sections" insert "; and making an appropriation"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Fortson, Gaspard, Haley, Hayner, Hendricks, Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Brown, Whiteside.

To Committee on Rules for second reading.

April 14, 1975

HOUSE BILL NO. 1077, Prime Sponsor: Representative Martinis, relating to the state building code. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Laughlin, Subcommittee Chairman; Cochrane, Fischer, North, Paris, Smith (Edward), Whiteside, Wilson, Zimmerman.

To Committee on Rules for second reading.

April 14, 1975

HOUSE BILL NO. 1096, Prime Sponsor: Representative Douthwaite, requiring nomination for water district commissioner to be by twenty-five percent of the district's voters. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Cochrane, Fischer, North, Paris, Smith (Edward), Whiteside, Wilson, Zimmerman.

To Committee on Rules for second reading.

April 14, 1975

ENGROSSED SENATE BILL NO. 2381, Prime Sponsor: Senator Beck, providing for annual review for cancellation of voters but allowing vote in last presidential election to be deemed vote within preceding thirty months. Reported by Committee on Constitution and Elections.

**MAJORITY recommendation: Do pass with the following amendments:**

On page 2, after line 27 strike the remainder of the bill and insert the following:

**"NEW SECTION. Sec. 3.** In all counties with a population in excess of four hundred thousand persons according to the most recent determination by the office of program planning and fiscal management pursuant to RCW 43.62.030 and in any other county when so authorized and directed by ordinance of the legislative authority thereof, all voters shall be registered in accordance with the provisions of this chapter. In such counties, the provisions of chapter 29.07 RCW, as now or hereafter amended, shall be inapplicable and of no force. For the purpose of this chapter, "county auditor" shall have the meaning ascribed to that term by RCW 29.04.095(1). The county auditor shall be responsible for the conduct of voter registration within the county and shall be the custodian of all official voter registration records for that county.

**NEW SECTION. Sec. 4.** The secretary of state shall design a unified voter registration form, compatible with existing records, which will permit the applicant to conveniently prepare, on a single card, an original registration, an initiative signature card as required by section 11 of this 1975 amendatory act, and a cancellation of any prior registration in this state. The applicant shall enter the required information, other than his or her signature, no more than one time. The form shall also contain instructions on its use, a warning to the applicant of the penalty for knowingly supplying false information, and space for the county auditor to enter the voter's precinct identification, taxing district identification, and registration number. The reverse side of the form shall be printed to permit prepaid mailing to the county auditor.

**NEW SECTION. Sec. 5.** All registration forms necessary to carry out the registration of voters as provided by this chapter shall be furnished by the secretary of state without cost to the respective counties.

**NEW SECTION. Sec. 6.** The original voter registration records for all precincts within the county shall be filed alphabetically without regard to precincts in the office of the county auditor and shall not be open to public inspection.

**NEW SECTION. Sec. 7.** Each county auditor shall maintain a computer file on magnetic tape or disk, punched cards, or other form of data storage containing the records of all registered voters within the county. Where it is necessary or advisable, the auditor may provide for the maintenance of such files by private contract or through interlocal agreement as provided by chapter 39.34 RCW, as now or hereafter amended. The computer file shall include, but not be limited to, each voter's name, residence address, sex, date of registration, applicable taxing district and precinct codes and the last five consecutive dates on which the individual has voted: **PROVIDED**, That if the voter has not voted at least five times since establishing his or her current registration record, only the available dates shall be included. The county auditor shall subsequently record each consecutive date upon which the individual votes and retain at least the last five such consecutive dates. The computer file of voter registration records shall be arranged so that individual precinct lists of registered voters may be prepared containing only the names, and other information required by this section, listed alphabetically by the surnames of the voters in that precinct.

**NEW SECTION. Sec. 8.** There is established in the state general fund an account, entitled the voter registration assistance account, to be used to compensate county auditors in counties with fewer than twelve thousand registered voters at the time of the most recent state general election for unrecoverable costs incident to the maintenance of voter registration records on electronic data processing systems. The secretary of state shall administer the voter registration assistance account and authorize the payments therefrom under such rules and regulations as he may prescribe. County auditors in counties entitled to this compensation shall be paid annually an amount equal to thirty cents times the number of registered voters in that county at the time of the most recent state general election.

**NEW SECTION. Sec. 9.** The expense of voter registration and the maintenance of voter registration records shall be apportioned between the county and the cities and towns within that county according to the number of voters registered in all rural areas of the county and in each city and town, respectively, at the time of the last state general election.

**NEW SECTION. Sec. 10.** The county auditor shall be responsible for the distribution of postage prepaid voter registration forms by which a person may register to vote and cancel any previous registration in the state. Registrations submitted on such voter registration forms need not be subscribed to by the county auditor or a deputized registrar. The county auditor shall keep an adequate supply of voter registration forms in his or her office at all times for political parties and others interested in assisting in voter registration and he or she shall make every effort to make these forms generally available to the public through government offices, businesses, labor union offices, schools, and any other locations necessary to extend registration opportunities to all areas of the county. After the initial distribution of voter registration forms to a given location, it shall be the duty of a representative designated at that location by that office, business, union, school, firm, or other establishment to notify the county auditor of the need for additional supplies of voter registration forms.

**NEW SECTION. Sec. 11.** The applicant for registration shall record on the registration form the following items concerning his or her qualifications as a voter of this state, and of the county, city, town, and precinct in which he or she applies for registration:

- (1) The address of his or her last former registration as a voter in this state, if applicable;
- (2) His or her full name;
- (3) His or her sex;
- (4) His or her date of birth;
- (5) His or her place of residence for voting purposes, giving the street and number, if any, or the post office or rural mail address. After completing this information concerning his or her qualifications, the applicant shall sign a statement in the following form: "I, the undersigned, hereby declare that the facts set

forth relating to my qualifications as a voter are true. I further declare that I am a citizen of the United States, that I am not presently denied my civil rights as a result of being convicted of an infamous crime, and that I will be at least eighteen years of age at the time of voting".

The applicant shall also sign his or her name upon a separate portion of the voter registration card which also contains spaces for his or her surname, followed by his or her given name or names, the name of the county and city or town, with post office or street address, the date on which the individual registered, and the name or number of the precinct in which the voter is registered.

The voter registration form shall provide, in a conspicuous place, the following warning: "Any person who knowingly supplies false information on this voter registration form or who knowingly makes a false declaration as to his or her qualifications for registration shall be guilty of a felony".

**NEW SECTION. Sec. 12.** Upon receipt of a completed voter registration form, the county auditor shall immediately examine the form to see that the applicant for registration is not currently registered in that county and shall record on the form the precinct identification, taxing district identification, and other information required by law. Except as provided in section 13 of this 1975 amendatory act, the county auditor, within fifteen days of receipt of a voter registration form, shall send to the applicant by first class mail a voter registration card identifying his or her current precinct and containing such other information as may be prescribed by the secretary of state. If the voter registration form is incomplete or incorrect, or the applicant for voter registration is found to be currently registered in the county, the county auditor shall so notify the applicant, and if necessary, send him or her a new postage prepaid voter registration form. The post office shall be instructed not to forward this form or any voter registration card to any other address and to return to the county auditor all undelivered forms and voter registration cards.

**NEW SECTION. Sec. 13.** To be included among the records of a given precinct for any primary or election, the applicant's voter registration form must be received not later than thirty days prior to that primary or election. An applicant for voter registration whose application is received less than thirty days prior to a primary or election shall be notified by the county auditor that he or she is not eligible to vote in that upcoming election, explaining that his or her registration will be processed for future elections, and that a voter registration card will be sent to him or her after the upcoming election.

**NEW SECTION. Sec. 14.** At least thirty-five days prior to each primary or election, the county auditor shall give notice that, in order to be eligible to vote in that election at a regular precinct polling place, an original voter registration form or a request for transfer must be received not later than thirty days prior to that primary or election.

**NEW SECTION. Sec. 15.** Any qualified elector temporarily residing outside of the county of his or her permanent residence but within the state of Washington, may register in the place where he or she is temporarily residing in the manner provided in this chapter. The county auditor receiving the voter registration forms as provided in section 12 of this 1975 amendatory act shall transmit the forms to the county auditor of the county where the applicant currently resides. A voter registration form received from another county shall be processed immediately by the county auditor of the place of permanent residence of the applicant in the manner provided in sections 12 and 13 of this 1975 amendatory act.

**NEW SECTION. Sec. 16.** On the first Monday of each calendar month the county auditor shall transmit all initiative signature cards which have been received in his or her office during the prior month to the secretary of state for filing in his office. Each lot must be accompanied by the certificate of the county auditor that the cards so transmitted are the original cards, that they were signed by the voters whose names appear thereon and that the voters are registered in the precincts and from the addresses shown thereon.

**NEW SECTION. Sec. 17.** The initiative signature cards shall be kept on file in the office of the secretary of state in such manner as will be most convenient for, and for the sole purpose of, checking initiative and referendum petitions. They shall not be open to public inspection or be used for any other purpose.

**NEW SECTION. Sec. 18.** Prior to each primary or election, the county auditor shall prepare a precinct list of registered voters for each precinct in which that primary or election is to be conducted and a certificate as to the authenticity of those records. He or she shall deliver the precinct list of registered voters and the certificate to the inspector or one of the judges of the appropriate precinct at the proper polling place as provided by RCW 29.48.030, as now or hereafter amended.

**NEW SECTION. Sec. 19.** The precinct list of registered voters for each precinct, delivered to the precinct election officers for use on the day of an election held in that precinct, shall be returned by them to the county auditor upon the closing of the polling place or at the completion of the count of the votes cast in that precinct at the election. The lists shall be retained by the county auditor for such time as may be prescribed pursuant to RCW 40.14.070, as now or hereafter amended. These records shall be open to public inspection under such rules and regulations as the county auditor may prescribe.

**NEW SECTION. Sec. 20.** The secretary of state, as chief election officer, shall adopt rules and regulations not inconsistent with the provisions of this chapter to:

- (1) Provide the specifications, including style, form, color, quality, and dimensions of the cards, records, forms, lists, and other supplies to be used in recording and maintaining voter registration records;
- (2) Establish standards and procedures for the maintenance of voter registration records on electronic data processing systems and the use of voter registration information in the conduct of elections; and
- (3) Facilitate the registration of voters in an orderly manner and assist county auditors in the performance of their responsibilities under this chapter.



He or she shall provide planning, coordination, training and other assistance to county auditors to facilitate the maintenance of voter registration records on electronic data processing systems and the use of voter registration in the conduct of elections.

**NEW SECTION.** Sec. 21. Sections 3 through 20 of this 1975 amendatory act shall constitute a new chapter in Title 29 RCW.

**NEW SECTION.** Sec. 22. There is added to chapter 29.07 RCW a new section to read as follows:

This chapter applies to all counties with a population less than four hundred thousand persons according to the most recent determination by the office of program planning and fiscal management pursuant to RCW 43.62.030 and those counties which do not elect to conduct voter registration under the provisions of sections 3 through 20 of this 1975 amendatory act.

Sec. 23. Section 29.07.010, chapter 9, Laws of 1965 as amended by section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010 are each amended to read as follows:

In ~~(all counties)~~ any county operating under the provisions of this chapter, the county auditor shall be the chief registrar of voters for every precinct within the county. He ~~or she~~ shall appoint a deputy registrar for each precinct or for any number of precincts and shall appoint city or town clerks as deputy registrars to assist in registering voters residing in cities, towns, and rural precincts within the county.

A deputy registrar shall be a registered voter and, except for city and town clerks, shall hold office at the pleasure of the county auditor.

The county auditor shall be the custodian of the official registration records of each precinct within that county. The expenses of registration shall be apportioned between the county and cities or towns therein in the same manner as provided in RCW 29.07.030.

Sec. 24. Section 29.07.095, chapter 9, Laws of 1965 as last amended by section 6, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.095 are each amended to read as follows:

Any person temporarily residing outside of the county of his or her permanent residence, but within the state of Washington, may register with the registration officer of the place where he or she is temporarily residing in the ~~((usual))~~ manner ~~((as required))~~ provided in this chapter. The registration officer administering the oath and receiving the ~~((application and))~~ registration form~~((s))~~ as provided in RCW 29.07.060 through 29.07.090 shall transmit the same to the county auditor of the county where the applicant permanently resides ~~((for processing in the same manner as though the applicant had personally applied directly to the registration officer of his residence))~~.

Notwithstanding the provisions of RCW 29.07.050 through 29.07.090 and 29.07.160 the registration ~~((application))~~ form shall be received and ~~((acted upon))~~ processed immediately by the ~~((registration officer))~~ county auditor of the place of permanent residence of the applicant if the ~~((application was received and))~~ oath was administered by the registration officer at the place of temporary residence or the voter registration form was received not less than thirty days preceding the next primary or election.

Sec. 25. Section 29.07.105, chapter 9, Laws of 1965 as amended by section 14, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.105 are each amended to read as follows:

In ~~((all))~~ cities of the first, second and third class in the counties operating under the provisions of this chapter, the governing body shall by ordinance with the consent of the county auditor provide for additional temporary registration facilities during the fifteen day period, excepting Sundays, prior to the last day to register in order to be eligible to vote at a state primary election and during the fifteen day period, excepting Sundays, prior to the last day to register in order to be eligible to vote at a state general election by stationing deputy registrars at stores, public buildings or other temporary locations. The county auditor may deputize additional deputy registrars for the periods of temporary registration if so requested by the governing body of the city. The number of such temporary registration places to be so established and the hours to be maintained shall be, in the judgment of the governing body of the city concerned, adequate to afford ample opportunity for all qualified electors to register for voting, but in no event shall there be less than two such temporary registration places so established. Nothing in this section shall preclude door-to-door registration including registration from a portable office as in a trailer.

Sec. 26. Section 29.10.040, chapter 9, Laws of 1965 as amended by section 26, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.040 are each amended to read as follows:

A registered voter who changes his or her residence from one county to another county, shall be required to register anew. Before registering anew, the voter shall sign an authorization to cancel his or her present registration in substantially the following form: "I hereby authorize the cancellation of my registration in ----- precinct of ----- county." Such authorization shall be ~~((filed with the registration officer before whom the voter registers anew, and shall be))~~ forwarded promptly to the ~~((registrar))~~ county auditor of the county in which the voter was previously registered. Upon the receipt of such authorization, the ~~((registrar))~~ county auditor of the county where the previous registration was made, shall cause the signature on the authorization to be compared with the signature on the registration ~~((forms))~~ record of such voter, and if it appears that the signatures were made by the same person, the former registration record shall be canceled forthwith~~((, but if it shall not so appear, it shall be the duty of the registrar receiving such authorization to notify the registrar of the county forwarding such authorization of the apparent fraud, and the registrar receiving such notification shall cancel the new registration, and note on the cards or forms the reason for such cancellation, and shall notify the person so registered anew, by mail of such cancellation and the reason therefor))~~.

Sec. 27. Section 29.85.200, chapter 9, Laws of 1965 and RCW 29.85.200 are each amended to read as follows:

Any person who (~~falsely swears, in taking the oath or affirmation prescribed for registration~~) knowingly gives false information on an application for voter registration, or who knowingly makes a false declaration as to his or her qualifications as a voter, or who falsely personates another and procures himself or herself to be registered as the person so personated, or causes himself or herself to be registered under two or more different names, or causes any name to be registered otherwise than in the manner provided by law, shall be guilty of a felony.

**NEW SECTION.** Sec. 28. Section 29.62.150, chapter 9, Laws of 1965, section 44, chapter 202, Laws of 1971 ex. sess. and RCW 29.62.150 are each hereby repealed.

**NEW SECTION.** Sec. 29. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 30. The effective date of this 1975 amendatory act shall be January 1, 1976."

In line 1 of the title after "elections;" and before "amending" strike "and creating a new section;"

In line 6 of the title after "29.10.120" and before "." insert "; amending section 29.07.010, chapter 9, Laws of 1965 as amended by section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010; amending section 29.07.095, chapter 9, Laws of 1965 as last amended by section 6, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.095; amending section 29.07.105, chapter 9, Laws of 1965 as amended by section 14, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.105; amending section 29.10.040, chapter 9, Laws of 1965 as amended by section 26, chapter 202, Laws of 1971 ex. sess. and RCW 29.10.040; amending section 29.85.200, chapter 9, Laws of 1965 and RCW 29.85.200; creating new sections; adding new sections to Title 29 RCW as a new chapter thereof; adding a new section to chapter 29.07 RCW; repealing section 29.62.150, chapter 9, Laws of 1965, section 44, chapter 202, Laws of 1971 ex. sess. and RCW 29.62.150; making an effective date; and providing penalties"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Erickson, Hawkins, Knowles, Lysen, Sherman.

To Committee on Rules for second reading.

## SECOND READING

**SUBSTITUTE HOUSE BILL NO. 863, by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol and Shinpoch):**

Adopting a budget for the department of social and health services.

The House resumed consideration of the bill on second reading.

**Ms. Becker moved adoption of the following amendment:**

On page 18, line 19 following "criteria," add the following: "The department shall:

(a) Develop and implement as soon as possible revised program standards for continuing general assistance, after development of adequate caseload profile information, that shall include, but not necessarily be limited to, medical determination of physical or mental disabilities, more stringent eligibility criteria for caseload associated with emotional, alcoholism or drug connected cases and adequate evaluation of treatment programs and an approval process for such treatment programs. In addition, the department shall:

(b) Submit proposed revised program standards, control systems and cost estimates to the legislative budget committee or its statutory successor no later than December 1, 1975, for its review and approval. To fund grants for general assistance clients who qualify under the standards established in (a) immediately above the department is authorized to expend not more than \$800,000 for the period July 1, 1975 through February 28, 1976."

Ms. Becker spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Becker to page 18, line 19 of Substitute House Bill No. 863, and the amendment was not adopted by the following vote: Yeas, 23; nays, 71; not voting, 4.

Voting yea: Representatives Becker, Blair, Brown, Ceccarelli, Charnley, Cochrane, Conner, Douthwaite, Ehlers, Eng, Hanna, Hawkins, Hurley G. S., King, Laughlin, Moon, Parker, Perry, Savage, Seeberger, Sommers, Williams, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Boldt, Bond, Chandler, Charette, Chatalas, Clemente, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, Knowles, Kuehnle, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Leckenby, McCormick, Pardini.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Leckenby and Pardini appeared before the bar of the House.

Mr. Parker moved adoption of the following amendments by Representatives Parker, Grengo, Fischer, Jastad, Wojahn, Adams and Paris:

On page 18, line 34 after "and" insert ": PROVIDED, That in order to keep within the amount appropriated, the department shall establish maximum levels of payment for skilled nursing facilities coordinated with required standards."

On page 18, line 34 after "than" strike "\$33,416,041" and insert "\$45,232,696"

On page 19, line 4 strike "\$190,367,075" and insert "\$195,814,095"

On page 19, line 5 strike "\$193,944,279" and insert "\$200,283,914"

On page 19, line 5 strike "\$384,311,354" and insert "\$396,128,009"

Mr. Shinpoch moved adoption of the following amendment to the amendment:

On line 3 of the amendment after "coordinated" insert ", insofar as is practicable,"

Representatives Shinpoch and Hurley (George) spoke in favor of the amendment to the amendment, and Mr. Pardini spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Shinpoch to the amendment by Representative Parker and others to page 18, line 34 of Substitute House Bill No. 863, and the amendment to the amendment was adopted by the following vote: Yeas, 61; nays, 35; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Douthwaite, Ehlers, Eng, Flanagan, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley M., Jastad, Kalich, Kilbury, Knowles, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McKibbin, Moreau, North, O'Brien, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Bond, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Fischer, Fortson, Freeman, Gilleland, Grengo, Haley, Hansey, Hayner, Hurley G. S., Juelling, King, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Peterson, Polk, Tilly, Valle, Whiteside, Wilson.

Not voting: Representatives Adams, McCormick.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Amen.

Mr. Amen: "Representative Parker had some figures here as far as the ICF in this and I believe it was the average cost per day; how does this compare to other states such as Idaho and Oregon? The total cost—Representative Parker had some figures as far as the ICF and SNF costs per day if this is passed."

Mr. Shinpoch: "I really can't answer that. I don't think you can compare costs or what you pay. It's what you are paying for and we don't know what they are paying for in Idaho and we don't know what they are paying for in Oregon versus what we are paying here, so (1) I can't answer your question, and (2) I don't think it would make any difference if I did answer it. I don't think it would have any meaning unless we could compare the other side of the question of what you are buying."

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Amen.

Mr. Amen: "I think it would have some meaning here because I read someplace that Idaho and Oregon are up to around \$25 per day and so I would like some comparison on this."

Mr. Parker: "I can give you an example. We are the lowest of the ten western states, but one of the classics would be in the intermediate care facilities which I happen to have on the top of my head. Right now we are paying in this state \$12.66 on the average for intermediate care facilities; the state of Oregon pays \$17 and their legislature is now considering raising that to \$18. They are substantially higher than we are. In order for us to meet the federal standards that were mandated to be met in state standards, we have to spend an additional \$7.50 a day per patient day which is about \$82,500. We are going to have to address that sometime down the road because when the federal government really starts auditing us—right now we are in paper compliance, but when they get down to the audit structure, we are going

to have some substantial problems that we are going to have to meet. I think though, that at this time what I am asking for are the actual expenditures we are making in our nursing homes. In order to meet those expenditures we will have to raise the amount that I have set forth here—the \$12.5 million of which about \$11,200 is in this set of amendments."

Representatives Matthews, Parker and Paris spoke in favor of the amendments, and Representatives Bagnariol and Shinpoch spoke against them.

On motion of Mr. Shinpoch, the following amendment to the amendments was adopted: On line 10 strike "\$200,283,914" and insert "\$200,313,914"

ROLL CALL

The Clerk called the roll on adoption of the amendments as amended by Representative Parker and others to Substitute House Bill No. 863, and the amendments were not adopted by the following vote: Yeas, 45; nays, 51; not voting, 2.

Voting yea: Representatives Amen, Bauer, Bond, Brown, Ceccarelli, Chandler, Charnley, Cochrane, Deccio, Erickson, Fischer, Fortson, Gaines, Greengo, Hanna, Hawkins, Hendricks, Hurley G. S., Kalich, King, Kuehnle, Laughlin, Leckenby, Lee, Matthews, May, Moon, Nelson, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Tilly, Valle, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Blair, Boldt, Charette, Chatalas, Clemente, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Haley, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Jueling, Kilbury, Knowles, Luders, Lysen, Martinis, Maxie, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Randall, Shinpoch, Smith R., Sommers, Thompson, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, McCormick.

The Clerk read the following amendment by Representatives Parker and Adams:

On page 23, line 3 after subsection (6) insert a new subsection as follows:

"(7) HEALTH MANPOWER PROGRAM. In consideration of the inadequate supply and distribution of health manpower resources throughout the state, especially in rural or economically depressed areas, and in conformity with the provisions of Public Law 93-641, the department of social and health services shall identify medically underserved communities of the state either directly or through contractual arrangements with public or private nonprofit organizations, by (1) developing, in cooperation with the department of motor vehicles, an information system for health personnel data; (2) collecting statewide demographic data designed to achieve an appropriate supply, distribution and organization of health manpower within the state and make such data available to the health systems agencies designated under Public Law 93-641, section 1512; and (3) coordinating comprehensive health planning activities, services, manpower and other resources to meet such identified needs. The department shall expend not more than 14.0 FTE staff years during the 1975-1977 biennium within the health manpower programs. General Fund Appropriation . . . . . \$536,127"

Renumber the remaining subsection consecutively.

With the consent of the House, Mr. Parker withdrew the amendment.

Mr. Matthews moved adoption of the following amendment by Representatives Matthews and Bond:

On page 25, after line 29 insert a new paragraph as follows:

"The department shall report to the January 1976 Legislative Session and to the January 1977 Regular Legislative Session, regarding the dollar savings and management improvements effected by the staff added to this program in Chapter 9, Laws of 1975, and continued in this appropriation."

Representatives Matthews and Shinpoch spoke in favor of the amendment, and it was adopted.

Mr. Matthews moved adoption of the following amendment:

On page 29, line 33 after "plan." insert "The department shall develop and implement a uniform cost reporting system for community mental health centers to provide information regarding the actual cost of operating and maintaining such centers."

Mr. Matthews spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Matthews to page 29, line 33 of Substitute House Bill No. 863, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Kalich, Kuehne, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Smith E. P., Tilly, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, McCormick.

Mr. Hanna moved adoption of the following amendment by Representatives Hanna and Erickson:

On page 30, line 5 strike "\$629,693" and insert "\$6,516,608"

Representatives Hanna and Eng spoke in favor of the amendment, and Mr. Shipoch spoke against it.

Mr. Hanna spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hanna and Erickson to page 30, line 6 of Substitute House Bill No. 863, and the amendment was not adopted by the following vote: Yeas, 38; nays, 58; not voting, 2.

Voting yea: Representatives Becker, Berentson, Blair, Brown, Charnley, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Freeman, Gaines, Gilleland, Hanna, Hansey, Hawkins, Hendricks, Hurley G. S., Kalich, King, Knowles, Kuehne, Laughlin, Lysen, Moon, Pardini, Paris, Parker, Perry, Peterson, Polk, Savage, Valle, Williams, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Curtis, Deccio, Dunlap, Flanagan, Fortson, Gallagher, Gaspard, Greengo, Haley, Hansen, Haussler, Hayner, Hurley M., Jastad, Juelling, Kilbury, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Patterson, Randall, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, McCormick.

The Clerk read the following amendment by Representatives Hanna and Erickson:

On page 30, line 6 strike "\$3,852,375" and insert "\$9,739,290"

With the consent of the House, Mr. Hanna withdrew the amendment.

Mr. Berentson moved adoption of the following amendment:

On page 30, line 4 insert a new paragraph to read as follows:

"It is the intent of the legislature that to the maximum extent possible, the mental health programs provided by the community mental health organizations, whether funded pursuant to this section or any other section of this budget or from any other source whatever, shall be controlled and developed by the local organizations and that the Department of Social and Health Services shall assume no more control or direction over such programs than it currently exercises."

On motion of Mr. Berentson, the following amendment by Representatives Bagnariol and Berentson to the Berentson amendment was adopted:

On the last line of the amendment strike "it currently exercises" and insert "is currently provided for by law or is contained in this act"

Mr. Berentson spoke in favor of the amendment as amended.

The amendment as amended was adopted.

The Clerk read the following amendment by Representative Matthews:

On page 30, line 14 after "plan," insert "The department shall develop and implement a uniform cost reporting system for developmental centers and group homes to provide information regarding the actual cost of operating and maintaining such facilities."

With the consent of the House, Mr. Matthews withdrew the amendment.

The Clerk read the following amendments by Representatives Parker, Chatalas and Wojahn:

On page 31, line 26 strike "\$9,088,795" and insert "\$9,491,753"

On page 31, line 27 strike "\$7,886,796" and insert "\$8,296,390"

On page 31, line 27 following "funds..." strike "\$16,975,591" and insert "\$17,788,143"

With the consent of the House, Mr. Parker withdrew the amendments.

Mr. Matthews moved adoption of the following amendments by Representatives Matthews and Bond:

- On page 35, strike lines 13 through 36.
- On page 36 strike lines 1 through 8.

Mr. Matthews spoke in favor of the amendments, and Mr. Bagnariol spoke against them. Mr. Hansey demanded an electric roll call and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Matthews and Bond to pages 35 and 36 of Substitute House Bill No. 863, and the amendments were not adopted by the following vote: Yeas, 36; nays, 60; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, McCormick.

The Speaker assumed the Chair.

Mr. Parker moved adoption of the following amendment by Representatives Parker, Wojahn and Brown:

On page 36 following line 8 insert:

"NEW SECTION. Sec. 14. The department shall develop a proposal for a group homes cost reimbursement system that provides incentives for improving client care. The proposal shall provide for maximum limits for described levels and kinds of care that ensure that expenditures shall be within amounts appropriated for such care. The cost reimbursement system shall also include consideration of various salary schedules necessary for the delivery of such components of care and shall also include consideration of wage and salary levels of comparable positions in the public and private sectors. The department shall submit the proposed cost reimbursement system to the legislative budget committee or its statutory successor for approval prior to the implementation of the system."

Renumber the remaining sections consecutively.

Representatives Parker, Hurley (George) and Wojahn spoke in favor of the amendment, and Representative Shinpoch spoke against it.

Mr. Parker spoke again in favor of the amendment, and Mr. Shinpoch again spoke in opposition to it.

Representatives Brown and Matthews spoke in favor of adoption of the amendment.

The amendment was adopted.

The Clerk read the following amendment by Representatives Parker, Greengo, Fortson, Fischer, Savage, Wojahn, Jastad, Adams, Hurley (George) and Paris:

On page 36, line 8 after "\$1,348,141" add a new paragraph to read as follows:

"INCOME MAINTENANCE — MAINTENANCE GRANTS. The department shall develop a standards program for congregate care facilities including, but not limited to, the various aspects of treatment, facilities criteria, other components of care and rehabilitative programs, and a six year program plan. The standards program shall be submitted to the legislative budget committee or its statutory successor for review and approval prior to release of any amount of the funds appropriated by this subsection for grant increases.

General Fund Appropriation: PROVIDED, That not more than \$2,833,248 is from state funds ..... \$2,833,248"

With the consent of the House, the amendment was withdrawn.

Mr. Matthews moved adoption of the following amendment by Representatives Matthews, Bond, Deccio and Parker:

On page 36, line 29 strike all material through line 5 on page 37 and insert:

"The department of social and health services shall establish regulations for reasonable nursing home accounting and reimbursement systems which recognize relevant cost related factors for department of social and health services patients, including but not limited to the scope or level of services or care,

requirements of staff, physical plant, a reasonable rate of return on investment, and incentives for providing patient care over those minimums specified in federal or state law, rules, and regulations; said formula shall provide that no payment shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system."

Mr. Shinpoch moved adoption of the following amendment to the Matthews amendment:

Beginning on line 6 of the Matthews amendment strike line 6 and the material through "regulations" on line 7 and insert "and incentives for improved patient care within funds available to the department for nursing home care;"

Representatives Shinpoch and Parker spoke in favor of the amendment to the amendment, and Mr. Matthews spoke against it.

Mr. Shinpoch spoke again in favor of the amendment.

The amendment to the amendment was adopted.

The Speaker stated the question before the House to be the amendment by Representative Matthews as amended.

Representatives Matthews and Parker spoke in favor of the amendment as amended.

The amendment as amended was adopted.

#### MOTION

On motion of Mr. Thompson, the House dispensed with further business under the Call of the House.

On motion of Mr. Thompson, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Kuehnle and McCormick, who were excused.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Adams, Kuehnle and McCormick.

#### MOTION

On motion of Mr. Pardini, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Shinpoch, Representative Jastad was excused from the Call of the House.

#### SUBSTITUTE HOUSE BILL NO. 863:

The House resumed consideration of the bill on second reading.

Mr. Parker moved adoption of the following amendments by Representatives Parker, Erickson, Deccio, Knowles, Fortson, Hendricks, Fischer, Hansen, Adams, Hanna, May, Hurley (Margaret), Paris, Greengo, Barnes, Whiteside, Tilly, Matthews and Jastad:

On page 37, beginning on line 6 strike the entire paragraph ending on line 10.

On page 37, line 17 strike all language through and including "violation and"

Representatives Parker and Eikenberry spoke in favor of the amendments, and Mr. Perry spoke against them.

#### POINT OF ORDER

Mr. Pardini: "Representative Perry alluded to an amendment further on this page which would insert new language in the entire section that Representative Parker is attempting to strike. Recognizing that Representative Perry's amendment is also a striking amendment (not nearly so extensive as Representative Parker's) would it not be proper that we consider Representative Perry's amendment first, see whether that language goes in and then come back and strike later on? In other words, the general rule of perfecting before striking?"

The Speaker (Mr. O'Brien presiding): "It would appear that we would have a problem if Mr. Parker's amendment is adopted. Mr. Perry would then be striking part of what the House has already acted on, lines 6 to 10, but at the present time there doesn't appear to be any conflict."

#### POINT OF ORDER

Mr. Perry: "Mr. Speaker, am I to interpret that that if Mr. Parker's amendment is adopted, mine won't be considered?"

The Speaker (Mr. O'Brien presiding): "No, not necessarily. If Mr. Parker's amendment carries a portion of your amendment, the striking portion would already be stricken from the bill. Your first part, where you strike lines 6 to 18, covers the same portion that Mr. Parker has in lines 6 to 10, so you could strike from lines 11 to 18 and insert your material."

#### MOTION

On motion of Mr. Charette, Representatives Pardini and Newhouse were excused from the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments on page 37 by Representative Parker and others.

Mr. Parker spoke in favor of the amendments, and Mr. King spoke against them.

Mr. Moon demanded an electric roll call and the demand was sustained.

Representatives May and Shinpoch spoke against adoption of the amendments.

Mr. Charette demanded the previous question and the demand was not sustained.

Representatives Hurley (George), Deccio, Hurley (Margaret) and Matthews spoke in favor of the amendments, and Representatives Bagnariol, Perry and Douthwaite spoke against them.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Parker and others to page 37 of Substitute House Bill No. 863, and the amendments were not adopted by the following vote: Yeas, 37; nays, 55; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chatalas, Conner, Curtis, Deccio, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gilleland, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley G. S., Hurley M., Kilbury, Leckenby, Lee, Matthews, May, Nelson, Paris, Parker, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Douthwaite, Dunlap, Ehlers, Eng, Gaines, Gallagher, Gaspard, Greengo, Haley, Haussler, Hawkins, Jueling, Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wajahn, and Mr. Speaker.

Not voting: Representatives Adams, Jastad, Kuehnl, McCormick, Newhouse, Pardini.

Mr. Eikenberry moved adoption of the following amendment:

On page 37, line 8 after "care" strike down to and including "violation" on line 18.

Representatives Eikenberry, Hurley (Margaret) and Haley spoke in favor of the amendment, and Representatives Perry and Shinpoch spoke against it.

Mr. Eikenberry spoke again in favor of adopting the amendment.



## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eikenberry to page 37, line 8 of Substitute House Bill No. 863, and the amendment was not adopted by the following vote: Yeas, 32; nays, 60; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jueling, Knowles, Leckenby, Lee, Matthews, May, Nelson, Paris, Parker, Patterson, Polk, Schumaker, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Haussler, Hawkins, Hurley G. S., Kalich, Kilbury, King, Laughlin, Luders, Lysen, Martinis, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Jastad, Kuehnl, McCormick, Newhouse, Pardini.

Mr. Perry moved adoption of the following amendment by Representatives Perry, Cochrane, Douthwaite, Clemente, Bender, Haley, Sherman and Peterson:

On page 37, strike lines 6 through 18 and insert:

"The department shall establish which cost centers in the reimbursement system are fully funded to allow compliance with statutes and regulations, and shall adopt a citation system for the imposition of financial penalties up to \$500 per violation of those standards which are fully funded.

Not later than September 30, 1975, the secretary shall publish proposed regulations setting forth the conditions or specific acts that constitute violations which the department determines have a direct or immediate relationship to the health, safety or security of nursing home patients. Not later than December 31, 1975, the department shall adopt such regulations which shall prescribe a feasible time period for correction of such violations, and financial penalties for those violations which the department establishes are within fully funded cost centers."

Mr. Perry spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Matthews.

Mr. Matthews: "In your amendment on the last line you allude to 'within fully funded cost centers.' I would like to know if those cost centers are the cost centers of the reimbursement system that we presently have or exactly what cost centers you are referring to?"

Mr. Perry: "They are within the existing cost centers."

Mr. Matthews: "Do these fines also apply to Title XIX regulations?"

Mr. Perry: "These fines would apply to anything that the state pays for—any cost centers are fully funded."

Mr. Matthews: "Which include a Title XIX regulation?"

Mr. Perry: "I will yield to Mr. Shinpoch; he's better qualified in this area than I."

Mr. Shinpoch: "I guess I need to understand what's behind your question. We have answered this question about ten times in the last two days as it applies to Title XIX. I need to understand what's behind your question to see if I can answer."

Mr. Matthews: "I would just like to know if these fines that could be levied under Mr. Perry's amendment that the secretary can now get in the rules and regulations—if those fines can apply to those regulations that are actually Title XIX federal regulations?"

Mr. Shinpoch: "I'm going to refer you to the language and I'm not going to attempt to interpret it—'... shall establish cost centers in the reimbursement system and those cost centers which are fully funded in compliance with the statutes and regulations shall adopt a citation system for financial penalties.' Obviously we have received federal funds and—I'm just not going to attempt to interpret that. I think the language is very clear for all of those things that are covered in the cost centers that are fully funded; then it would be liable to the citation."

Mr. Parker spoke in favor of the amendment, and Mr. Matthews spoke in opposition to it.

The amendment was adopted.

Substitute House Bill No. 863 was ordered engrossed and passed to Committee on Rules for third reading.

MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Thursday, April 17, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-FIFTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Thursday, April 17, 1975.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Eng and Williams. Representative Williams was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Dings and Craig Hart. Prayer was offered by The Reverend Herbert B. McLellan of St. John's Episcopal Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGE FROM THE SENATE

April 16, 1975

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2111,  
ENGROSSED SENATE BILL NO. 2218,  
SENATE BILL NO. 2375,  
ENGROSSED SENATE BILL NO. 2563,  
ENGROSSED SENATE BILL NO. 2623,  
SENATE BILL NO. 2741,  
SENATE BILL NO. 2944,  
SENATE BILL NO. 2945,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2111, by Senator Francis:

Creating position of warrant server and defining authority thereof in municipal courts of cities of more than five hundred thousand inhabitants.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2218, by Senators Talley and Goltz:

Providing a minimum limit for port district work contracts without bids.

To Committee on Local Government

SENATE BILL NO. 2375, by Senators Guess, Washington and Beck:

Exempting solar heating equipment in homes from sales and use taxes.

To Committee on Ways and Means - Revenue

ENGROSSED SENATE BILL NO. 2563, by Senators Wanamaker, Sellar and Walgren:

Relating to air transportation.

To Committee on Transportation and Utilities

ENGROSSED SENATE BILL NO. 2623, by Senators Marsh and Stortini:

Requiring reports of child abuse to be forwarded to the prosecuting attorney for investigation and action.

To Committee on Judiciary

SENATE BILL NO. 2741, by Senators Clarke, Jolly and Jones:

Establishing conversion procedures for savings and loan associations and mutual savings banks.

To Committee on Financial Institutions

SENATE BILL NO. 2944, by Senator Mardesich:

Permitting investment of public funds in the Asian development bank.

To Committee on Financial Institutions

SENATE BILL NO. 2945, by Senators Washington, Talley and North:

Authorizing merger of sewer districts across county lines.

To Committee on Local Government

#### REPORTS OF STANDING COMMITTEES

April 14, 1975

HOUSE BILL NO. 296, Prime Sponsor: Representative Sommers, increasing petty cash account limit. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson, O'Brien.

To Committee on Rules for second reading.

April 15, 1975

HOUSE BILL NO. 687, Prime Sponsor: Representative Hansen, providing for exemption of irrigation equipment from sales and use tax. Reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass and the amendments proposed by the Agriculture Committee be adopted. Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Eikenberry, Hurley (George), Kilbury, Kuehnle, Moon, Moreau, Nelson, Newhouse, Sommers.

To Committee on Rules for second reading.

April 15, 1975

HOUSE BILL NO. 720, Prime Sponsor: Representative Moreau, authorizing state colleges of education to offer degrees through master's degree subject to review and recommendations by the legislature. Reported by Committee on Higher Education.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Moreau, Vice Chairman; Bond, Charnley, Nelson, Peterson, Savage.

To Committee on Rules for second reading.

April 15, 1975

HOUSE BILL NO. 818, Prime Sponsor: Representative Thompson, providing regulations on removal of motor vehicles from private property. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Bender, Berentson, Bond, Ceccarelli, Clemente, Conner, Douthwaite, Hansen, Hayner, Kalich, Laughlin, Lee, Martinis, Schumaker, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

April 14, 1975

HOUSE BILL NO. 1004, Prime Sponsor: Representative Chatalas, setting salaries of legislators. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), McKibbin, Nelson, O'Brien.

To Committee on Rules for second reading.

April 14, 1975

HOUSE BILL NO. 1006, Prime Sponsor: Representative North, establishing a citizen's salary commission composed of non-governmental leaders. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson, O'Brien.

To Committee on Rules for second reading.

April 14, 1975

HOUSE BILL NO. 1007, Prime Sponsor: Representative Bagnariol, setting salaries for elected public officials. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Leckenby, Nelson, O'Brien.

To Committee on Rules for second reading.

April 15, 1975

HOUSE BILL NO. 1091, Prime Sponsor: Representative Chatalas, authorizing general obligation bond issue of state for University of Washington hospital facilities in lieu of university revenue bonds. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 28 after "Washington." insert "It is the intent of the legislature that in any decision to contract for capital projects funded as the result of this act, full and fair consideration shall be given to minority contractors."

Signed by Representatives Maxie, Chairwoman; Bond, Charnley, Nelson, Perry, Peterson, Savage.

Rereferred to Committee on Ways and Means - Appropriations.

April 11, 1975

HOUSE BILL NO. 1098, Prime Sponsor: Representative Hanna, making nineteen the legal age for liquor. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Dunlap, Gaines, Greengo, O'Brien.

MINORITY recommendation: Do not pass. Signed by Representative Kuehnle.

To Committee on Rules for second reading.

April 15, 1975

HOUSE BILL NO. 1143, Prime Sponsor: Representative Maxie, authorizing issuance of bonds for certain community college projects. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 1 after "bill." insert "It is the intent of the legislature that in any decision to contract for capital projects funded as the result of this act, full and fair consideration shall be given to minority contractors."

Signed by Representatives Maxie, Chairwoman; Bond, Charnley, Nelson, Perry, Peterson, Savage.

Rereferred to Committee on Ways and Means - Appropriations.

April 15, 1975

HOUSE BILL NO. 1146, Prime Sponsor: Representative Maxie, authorizing bonds for financing of Washington State University facilities. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Maxie, Chairwoman; Charnley, Bond, Nelson, Perry, Peterson, Savage.

Rereferred to Committee on Ways and Means – Appropriations.

April 14, 1975

HOUSE JOINT RESOLUTION NO. 45, Prime Sponsor: Representative O'Brien, establishing constitutionally a citizens' commission to set salaries of public officials. Reported by Committee on State Government.

MAJORITY recommendation: The substitute resolution be substituted therefor and that the substitute resolution do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson, O'Brien.

To Committee on Rules for second reading.

### SENATE AMENDMENTS TO HOUSE BILL

April 1, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 208 with the following amendments:

On page 2, beginning on line 3 strike all the matter down through "spouse." on line 7.

On page 2, line 29 strike the remainder of the material down through "offense." on page 3, line 1 and insert the following:

"(2) Evidence of the victim's past sexual behavior including but not limited to the victim's marital history, divorce history, or general reputation for promiscuity, non-chastity, or sexual moves contrary to community standards is inadmissible on the issue of credibility and is inadmissible to prove the victim's consent except as provided in subsection (3) of this section, but when the perpetrator and the victim have engaged in sexual intercourse with each other in the past, and when the past behavior is material to the issue of consent, evidence concerning the past behavior between the perpetrator and the victim may be admissible on the issue of consent to the offense.

(3) In any prosecution for the crime of rape or for an attempt to commit, or an assault with an intent to commit any such crime evidence of the victim's past sexual behavior including but not limited to the victim's marital behavior, divorce history, or general reputation for promiscuity, non-chastity, or sexual moves contrary to community standards is not admissible if offered to attack the credibility of the victim and is admissible on the issue of consent only pursuant to the following procedure:

(a) A written pre-trial motion shall be made by the defendant to the court and prosecutor stating that the defense has an offer of proof of the relevancy of evidence of the past sexual behavior of the victim proposed to be presented and its relevancy on the issue of the consent of the victim.

(b) The written motion shall be accompanied by an affidavit or affidavits in which the offer of proof shall be stated.

(c) If the court finds that the offer of proof is sufficient, the court shall order a hearing out of the presence of the jury, if any, and the hearing shall be closed except to the necessary witnesses, the defendant, counsel, and those who have a direct interest in the case or in the work of the court.

(d) At the conclusion of the hearing, if the court finds that the evidence proposed to be offered by the defendant regarding the past sexual behavior of the victim is relevant to the issue of the victim's consent; is not inadmissible because its probative value is substantially outweighed by the probability that its admission will create a substantial danger of undue prejudice; and that its exclusion would result in denial of substantial justice to the defendant; the court shall make an order stating what evidence may be introduced by the defendant, which order may include the nature of the questions to be permitted. The defendant may then offer evidence pursuant to the order of the court.

(4) Nothing in this section shall be construed to prohibit cross examination of the victim on the issue of past sexual behavior when the prosecution presents evidence in its case in chief tending to prove the nature of the victim's past sexual behavior, but the court may require a hearing pursuant to subsection (3) of this section concerning such evidence."

On page 3, line 33 after "facility" and before the period insert ": PROVIDED, That every person convicted of rape in the first degree shall be confined for a minimum of three years; PROVIDED FURTHER, That the board of prison terms and paroles shall have authority to set a period of confinement greater than three years but shall never reduce the minimum three-year period of confinement nor shall the board release the convicted person as a result of any type of automatic good time calculation nor shall the department of social and health services permit the convicted person to participate in any work release program or furlough program."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

Mr. Seeberger moved that the House concur in the Senate amendments to Substitute House Bill No. 208.

Mr. Seeberger spoke in favor of the motion, and Mr. Newhouse spoke against it.

The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 208 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 208 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Lysen, Matthews, Williams.

Substitute House Bill No. 208 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### REPORT OF FREE CONFERENCE COMMITTEE

April 4, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 2079, facilitating the refund of erroneously paid camper and trailer tax, have had the same under consideration, and we recommend that the bill be passed as recommended by the conference committee as follows:

The House recedes from the House amendments and adopts the following amendments:

On page 2, after section 2, add a new section as follows:

"NEW SECTION. Sec. 3. If any excise tax due hereunder is not paid when due and payable, the unpaid tax shall bear interest at the rate of six percent per annum from the time such tax is due and payable: PROVIDED, That the interest charge on the unpaid excise tax shall be waived when such interest is less than five dollars: AND PROVIDED FURTHER, The director may waive the interest on the unpaid excise tax when the interest exceeds five dollars and the Department of Motor Vehicles determines that the cost of processing the collection of the interest exceeds the amount of interest due.

The tax hereunder shall be a specific lien on the travel trailer or camper from and after the date it first becomes due hereunder, and shall include all charges authorized by this chapter, which lien shall have priority to and be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which the travel trailer or camper may become charged or liable, after July 1, 1975, and no sale or transfer of any travel trailer or camper shall in any way affect the lien for such excise tax upon the travel trailer or camper."

On line 3 of the title after "RCW 82.50.170;" strike "and"

On line 4 of the title after "RCW 82.50.440" and before the period insert "; and amending section 62, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.470"

Signed by Senators Beck, Henry and Guess; Representatives Hansen, Conner and Blair.

#### MOTION

Mr. Hansen moved that the House do adopt the report of the Free Conference Committee.

Representatives Hansen and Kuehnle spoke in favor of the motion, and the motion was carried.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Senate Bill No. 2079 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2079 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeburger, Sherman, Shipchock, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Cochrane, Deccio, Eng, Lysen, Williams.

Senate Bill No. 2079 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

April 4, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 87 with the following amendments:

Strike everything after the enacting clause and substitute the following:

"Section 1. Section 1, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.010 are each amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meanings:

(1) "Noxious weed" means any plant growing in a county which is determined by the state noxious weed control board to be injurious to crops, livestock, or other property and which is included for purpose of control on such county's noxious weed list.

(2) "Person" means any individual, partnership, corporation, firm, the state or any department, agency, or subdivision thereof, or any other entity.

(3) "Owner" means the person in actual control of property, or his agent, whether such control is based on legal or equitable title or on any other interest entitling the holder to possession and, for purposes of liability, pursuant to RCW 17.10.170 or 17.10.210, means the possessor of legal or equitable title or the possessor of an easement: PROVIDED, That when the possessor of an easement has the right to control or limit the growth of vegetation within the boundaries of an easement, only the possessor of such easement shall be deemed, for the purpose of this chapter, an "owner" of the property within the boundaries of such easement.

(4) As pertains to the duty of an owner, the word "control" and the term "prevent the spread of noxious weeds" shall mean conforming to the standards of noxious weed control or prevention adopted by rule or regulation by an activated county noxious weed control board.

(5) "Agent" means any occupant or any other person acting for the owner and working or in charge of the land.

(6) "Agricultural purposes" are those which are intended to provide for the growth and harvest of food and fiber.

Sec. 2. Section 4, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.040 are each amended to read as follows:

An inactive county noxious weed control board may be activated by any one of the following methods:

(1) Either (upon) within sixty days after a petition is filed by one hundred landowners each owning one acre or more of land within the county or, on its own motion, the (~~(board of)~~) county (~~(commissioners)~~) legislative authority shall hold a hearing to determine whether there is a need, due to a damaging infestation of noxious weeds, to activate the county noxious weed control board. If such a need is found to exist, then the (~~(board of)~~) county (~~(commissioners)~~) legislative authority shall, in the manner provided by RCW 17.10.050, appoint five persons to hold seats on the county's noxious weed control board.

(2) If the county's noxious weed control board is not activated within one year following a hearing by the (~~(board of)~~) county (~~(commissioners)~~) legislative authority to determine the need for activation, then upon the filing with the state noxious weed control board of a petition comprised either of the signatures of at least two hundred owners, each owning one acre of land or more within the county, or of the signatures of a majority of an adjacent county's noxious weed control board; the state board shall, within six months of the date of such filing, hold a hearing in the county to determine the need for activation. If a need for activation is found to exist, then the state board shall order the (~~(board of)~~) county (~~(commissioners)~~) legislative authority to activate the county's noxious weed control board and to appoint members to such board in the manner provided by RCW 17.10.050.



Sec. 3. Section 5, chapter 113, Laws of 1969 ex. sess. as amended by section 1, chapter 143, Laws of 1974 ex. sess. and RCW 17.10.050 are each amended to read as follows:

(1) Each activated county noxious weed control board shall consist of five voting members who shall, at the board's inception, be appointed by the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority and elected thereafter by the property owners subject to the board. In appointing such voting members, the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority shall divide the county into five sections, none of which shall overlap and each of which shall be of the same approximate area, and shall appoint a voting member from each section. At least four of such voting members shall be engaged in the primary production of agricultural products. There shall be one nonvoting member on such board who shall be the chief county extension agent or ~~((a-county))~~ an extension agent appointed by the chief county extension agent. Each voting member of the board shall serve a term of two years, except that the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority shall, when a board is first activated under this chapter, designate two voting members to serve terms of one year. The board members shall not receive a salary but shall be compensated for actual and necessary expenses incurred in the performance of their official duties.

(2) The elected members of the board shall represent the same districts designated by the county ~~((commissioners))~~ legislative authority in appointing members to the board at its inception. Members of the board shall be elected at least thirty days prior to the expiration of any board member's term of office.

The nomination and election of elected board members shall be conducted by the board at a public meeting held in the section where board memberships are about to expire. Elections at such meetings shall be by secret ballot, cast by the landowners residing in the section where an election for a board member is being conducted. The nominee receiving the majority of votes cast shall be deemed elected, and if there is only one nomination, said nominee shall be deemed elected unanimously.

Notice of such nomination and election meeting shall be mailed to all affected landowners thirty days prior to such meeting. Notice shall be published at least twice in a weekly or daily newspaper of general circulation in said section: PROVIDED, That mailed notice shall not be required if assessments provided for in ~~((section 4 of this 1974 amendatory act))~~ RCW 17.10.240 as now or hereafter amended are not invoked.

(3) Within thirty days after all the members have been appointed, the board shall conduct its first meeting. A majority of the voting members of the board shall constitute a quorum for the transaction of business and shall be necessary for any action taken by the board. The board shall elect from its members a chairman and such other officers as may be necessary.

(4) In case of a vacancy occurring in any elected position on a county noxious weed control board, the county ~~((commissioners))~~ legislative authority of the county in which such board is located shall appoint a qualified person to fill the vacancy for the unexpired term.

Sec. 4. Section 7, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.070 are each amended to read as follows:

In addition to the powers conferred on the state noxious weed control board under other provisions of this chapter, it shall have power to:

(1) Require the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority or the noxious weed control board of any county to report to it concerning the presence of noxious weeds and measures, if any, taken or planned for the control thereof;

(2) Employ a state weed supervisor who shall act as executive secretary of the board and who shall disseminate information relating to noxious weeds to county noxious weed control boards and who shall work to coordinate the efforts of the various county and regional noxious weed control boards;

(3) Do such things as may be necessary and incidental to the administration of its functions pursuant to this chapter.

Sec. 5. Section 8, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.080 are each amended to read as follows:

The state noxious weed control board shall each year or more often, following a hearing, adopt a list comprising the names of those plants which it finds to be injurious to crops, livestock or other property. At such hearing any county noxious weed control board may request the inclusion of any plant to the list to be adopted by the state board.

Such list when adopted shall be designated as the "proposed noxious weed list", and the state board shall send a copy of the same to each activated county noxious weed control board, to each regional noxious weed control board, and to the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority of each county with an inactive noxious weed control board.

Sec. 6. Section 11, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.110 are each amended to read as follows:

A regional noxious weed control board comprising the area of two or more counties may be created as follows:

Either each ~~((board-of))~~ county ~~((commissioners))~~ legislative authority or each noxious weed control board of two or more counties may, upon a determination that the purpose of this chapter will be served by the creation of a regional noxious weed control board, adopt a resolution providing for a limited merger of the functions of their respective counties noxious weed control boards. Such resolution shall become effective only when a similar resolution is adopted by the other county or counties comprising the proposed regional board.

Sec. 7. Section 15, chapter 113, Laws of 1969 ex. sess. as amended by section 2, chapter 143, Laws of 1974 ex. sess. and RCW 17.10.150 are each amended to read as follows:

(1) The ~~((board of))~~ county ~~((commissioners))~~ noxious weed control board in each county may classify lands for the purposes of this chapter. In regard to any land which is classified by the county noxious weed control board as not being used for agricultural purposes, the owner thereof shall have the following limited duty to control noxious weeds present on such land:

(a) The owner shall control and prevent the spread of noxious weeds on any portion of such land which is within the buffer strip around land used for agricultural purposes. ~~((For lands east of the crest of the Cascade mountain range,))~~ The buffer strip shall be land which is within ~~((two hundred))~~ one thousand feet of land used for agricultural purposes. ~~((For lands west of the crest of the Cascade mountain range, the buffer strip shall be land which is within one thousand feet of land used for agricultural purposes.))~~

(b) In any case of a serious infestation of a particular noxious weed, which infestation exists within the buffer strip of land described in paragraph (a) of subsection (1) of this section, and which extends beyond said buffer strip of land, the county noxious weed control board may require that the owner of such buffer strip of land take such measures, both within said buffer zone of land as well as on other land owned by said owner contiguous to said buffer strip of land on which such serious infestation has spread, as are necessary to control and prevent the spread of such particular noxious weed.

For purposes of this subsection, land shall not be classified as or considered as being used for agricultural purposes when the sole reason for classifying or considering it as such is that it is being used for the growing, planting or harvesting of trees for timber.

(2) In regard to any land which is classified by the county noxious weed control board as scab or range land, the board may limit the duty of the owner thereof to control noxious weeds present on such land. The board may share the cost of controlling such weeds, may provide for a buffer strip around the perimeter of such land or may take any other reasonable measures to control noxious weeds on such land at an equitable cost to the owner. The board shall classify as range or scab land all that land within the county for which the board finds ~~((to be of a relatively low value per acre, and on which))~~ that the cost of controlling all of the noxious weeds present would be disproportionately high when compared to the ~~((value per acre of))~~ benefits derived from noxious weed control on such land.

Sec. 8. Section 17, chapter 113, Laws of 1969 ex. sess. as amended by section 3, chapter 143, Laws of 1974 ex. sess. and RCW 17.10.170 are each amended to read as follows:

(1) Whenever the county noxious weed control board finds that noxious weeds are present on any parcel of land, and that the owner thereof is not taking prompt and sufficient action to control the same, pursuant to the provisions of RCW 17.10.140, it shall notify such owner that a violation of this chapter exists. Such notice shall be in writing, identify the noxious weeds found to be present, order prompt control action, and specify the time within which the prescribed action must be taken.

(2) If the owner does not take action to control the noxious weeds in accordance with the notice, the county board ~~((shall))~~ may control them, or cause their being controlled, at the expense of the owner. The amount of such expense shall constitute a lien against the property and may be enforced by proceedings on such lien except as provided for by RCW 79.44.060. The owner shall be liable for payment of the expense, and nothing in this chapter shall be construed to prevent collection of any judgment on account thereof by any means available pursuant to law, in substitution for enforcement of the lien. Funds received in payment for the expense of controlling noxious weeds shall be transferred to the county noxious weed control board to be expended as required to carry out the purposes of this chapter.

(3) The county auditor shall record in his office any lien created under this ~~((section))~~ chapter, and any such lien shall bear interest at the rate of eight percent per annum from the date on which the county noxious weed control board approves the amount expended in controlling such weeds.

(4) As an alternative to the enforcement of any lien created under subsection (2) of this section, the ~~((board of))~~ county ~~((commissioners))~~ legislative authority may by resolution or ordinance require that each such lien created shall be collected by the treasurer in the same manner as a delinquent real property tax, if within thirty days from the date the owner is sent notice of the lien, including the amount thereof, the lien remains unpaid and an appeal has not been made pursuant to RCW 17.10.180. Liens treated as delinquent taxes shall bear interest at the same rate as delinquent real property taxes and such interest shall accrue as of the date notice of the lien is sent to the owner: PROVIDED, That any collections for such lien shall not be considered as tax.

Sec. 9. Section 19, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.190 are each amended to read as follows:

Each activated county noxious weed control board shall cause to be published in at least one newspaper of general circulation within its area a general notice during the month of March and at such other times as may be appropriate. Such notice shall direct attention to the need for noxious weed control and shall give such other information with respect thereto as may be appropriate, or shall indicate where such information may be secured. In addition to the general notice required hereby, the county noxious weed control board may use ~~((such))~~ any appropriate media for the dissemination of information to the public as may be calculated to bring the need for noxious weed control to the attention of owners. The board may consult with individual owners concerning their problems of noxious weed control and may provide them with information and advice, including giving specific instructions and methods when and how certain named weeds are to be controlled. Such methods may include definite systems of tillage, cropping, management, and use of livestock. Publication of a notice as required by this section shall not be a condition precedent to the enforcement of this chapter.

Sec. 10. Section 24, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.240 are each amended to read as follows:

(1) The activated county weed control boards of each county shall annually submit a budget to the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority for the operating cost of the county's weed program for the ensuing fiscal year. Control of weeds ~~((are))~~ is a special benefit to the lands within any such district. The ~~((board-of))~~ county ~~((commissioners))~~ legislative authority may, in lieu of a tax, levy an assessment against the land for this purpose. Prior to the levying of an assessment the county weed control board shall hold a public hearing at which it shall gather information to serve as a basis for classification and shall then classify the lands into suitable classifications(-and-assess)). The board shall develop and forward to the county legislative authority, as a proposed level of assessment for each class, such an amount as shall seem just, but which shall be uniform per acre in its respective class: **PROVIDED**, That if no special benefits should be found to accrue to a class of land, a zero assessment may be levied. The legislative authority, upon receipt of the proposed levels of assessment from the board, after a hearing, shall accept, modify, or refer back to the board for their reconsideration all or any portion of the proposed levels of assessment. The findings by the ~~((board))~~ county legislative authority of such special benefits, when so declared by resolution and spread upon the minutes of ~~((the-board))~~ said authority shall be conclusive ~~((that))~~ as to whether or not the same ~~((is-of))~~ constitutes a special benefit to the lands within the district.

(2) In addition, the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority may appropriate money from the county general fund necessary for the administration of the county noxious weed control program. In addition the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority may make emergency appropriations as it deems necessary for the implementation of this chapter.

(3) Neither the legislative authority of a county nor the county weed control board activated in a county shall expend money from the county general fund or assessments levied for the operation of such activated county weed control board on any lands within the boundaries of any Indian reservation unless the tribal council of such reservation contracts with the legislative authority of the county and its activated weed control board to carry out its program on such reservation lands: **PROVIDED**, That the fees charged any Indian reservation for services rendered by the weed control board in controlling weeds on Indian reservation lands shall be no less than the fees assessed land owners of similar lands within the county jurisdiction of such activated weed control board.

Sec. 11. Section 25, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.250 are each amended to read as follows:

The ~~((board-of-county-commissioners))~~ legislative authority of any county with an activated noxious weed control board may apply to the state noxious weed control board for state financial aid in an amount not to exceed fifty percent of the locally funded portion of the annual operating cost of such noxious weed control board. Any such aid shall be expended from the general fund from such appropriation as the legislature may provide for this purpose.

Sec. 12. Section 26, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.900 are each amended to read as follows:

Any weed district formed under chapter 17.04 or 17.06 RCW prior to the enactment of this chapter, shall continue to operate under the provisions of the chapter under which it was formed: **PROVIDED**, That if ten percent of the landowners subject to any such weed district, and the county weed board upon its own motion, petition the county ~~((commissioners))~~ legislative authority for a dissolution of the weed district, the county ~~((commissioners))~~ legislative authority shall provide for an election to be conducted in the same manner as required for the election of directors under the provisions of chapter 17.04 RCW, to determine by majority vote of those casting votes, if such weed district shall continue to operate under the act it was formed. The land area of any dissolved weed district shall forthwith become subject to the provisions of this chapter.

**NEW SECTION.** Sec. 13. There is added to chapter 17.10 RCW a new section to read as follows:

Every activated county noxious weed board performing labor upon, furnishing material, or renting, leasing or otherwise supplying equipment, to be used in the control of noxious weeds, or in causing control of noxious weeds upon any property pursuant to the provisions of chapter 17.10 RCW has a lien upon such property for the labor performed, material furnished, or equipment supplied whether performed, furnished, or supplied with the consent of the owner, or his agent, of such property, or without the consent of said owner or agent.

**NEW SECTION.** Sec. 14. There is added to chapter 17.10 RCW a new section to read as follows:

Every county noxious weed control board furnishing labor, materials, or supplies or renting, leasing, or otherwise supplying equipment to be used in the control of noxious weeds upon any property pursuant to RCW 17.10.160 and 17.10.170 or pursuant to an order under RCW 17.10.210 as now or hereafter amended, shall give to the owner or reputed owner or his agent a notice in writing, within ninety days from the date of the cessation of the performance of such labor, the furnishing of such materials, or the supplying of such equipment, which notice shall cover the labor, material, supplies, or equipment furnished or leased, as well as all subsequent labor, materials, supplies, or equipment furnished or leased, stating in substance and effect that such county noxious weed control board is furnishing or has furnished labor, materials and supplies or equipment for use thereon, with the name of the county noxious weed board ordering the same, and that a lien may be claimed for all materials and supplies or equipment furnished by such county noxious control board for use thereon, which notice shall be given by mailing the same by registered or certified mail in an envelope addressed to the owner at his place of residence or reputed residence.

**NEW SECTION.** Sec. 15. There is added to chapter 17.10 RCW a new section to read as follows:

No lien created by section 13 of this 1975 amendatory act shall exist, and no action to enforce the same shall be maintained, unless within ninety days from the date of cessation of the performance of such

labor, furnishing of materials, or the supplying of such equipment, a claim for such lien shall be filed for record as hereinafter provided, in the office of the county auditor of the county in which the property, or some part thereof to be affected thereby, is situated. Such claim shall state, as nearly as may be, the time of the commencement and cessation of performing the labor, furnishing the material, or supplying the equipment, the name of the county noxious weed control board which performed the labor, furnished the material, or supplied the equipment, a description of the property to be charged with the lien sufficient for identification, the name of the owner, or reputed owner if known, or his agent, and if the owner is not known, that fact shall be mentioned, the amount for which the lien is claimed, and shall be signed by the county noxious weed control board, and be verified by the oath of the county noxious weed control board, to the effect that the affiant believes that claim to be just; and such claim of lien may be amended in case of action brought to foreclose the same, by order of the court, as pleadings may be, insofar as the interest of third parties shall not be affected by such amendment. A claim or lien substantially in the same form provided by RCW 60.04.060 and not in conflict with this section shall be sufficient.

**NEW SECTION.** Sec. 16. There is added to chapter 17.10 RCW a new section to read as follows:

Open areas subject to the spread of noxious weeds, other than crop land, including but not limited to subdivisions, school grounds, playgrounds, parks, and rights of way shall be subject to regulation by activated county noxious weed control boards in the same manner and to the same extent as is provided for agricultural lands.

**NEW SECTION.** Sec. 17. There is added to chapter 17.10 RCW a new section to read as follows:

The purpose of this chapter is to limit economic loss due to the presence and spread of noxious weeds on or near agricultural land.

The intent of the legislature is that this chapter be liberally construed, and that the jurisdiction, powers, and duties granted to the county noxious weed control boards by this chapter are limited only by specific provisions of this chapter or other state and federal law."

In the title after "AN ACT" strike everything down to and including the period on line 16 and substitute: "Relating to control of noxious weeds; amending section 1, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.010; amending section 4, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.040; amending section 5, chapter 113, Laws of 1969 ex. sess. as amended by section 1, chapter 143, Laws of 1974 ex. sess. and RCW 17.10.050; amending section 7, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.070; amending section 8, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.080; amending section 11, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.110; amending section 15, chapter 113, Laws of 1969 ex. sess. as amended by section 2, chapter 143, Laws of 1974 ex. sess. and RCW 17.10.150; amending section 17, chapter 113, Laws of 1969 ex. sess. as amended by section 3, chapter 143, Laws of 1974 ex. sess. and RCW 17.10.170; amending section 19, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.190; amending section 24, chapter 113, Laws of 1969 ex. sess. and RCW 17.240; amending section 25, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.250; amending section 26, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.900; and adding new sections to chapter 17.10 RCW."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 87.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 87 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 87 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charney, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Lysen, McKibbin, Patterson, Seeberger, Williams, Wilson.

Engrossed Substitute House Bill No. 87 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE CONCURRENT RESOLUTION NO. 111, by Senators Goltz, Murray and Morrison:

Designating April 20-26 as "Volunteer Week '75."

The resolution was read the second time.

On motion of Mr. Zimmerman, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 111 was placed on final passage.

Representatives Conner and Zimmerman spoke in favor of the resolution and it was adopted.

HOUSE BILL NO. 866, by Representatives Shinpoch and Bagnariol:

Relating to appropriations.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 866 was substituted for House Bill No. 866, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 866 was read the second time.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

On motion of Mr. Charette, the House advanced to the eighth order of business.

## RESOLUTION

HOUSE RESOLUTION NO. 75-32, by Representatives Eikenberry, Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside and Wilson:

WHEREAS, A balanced Washington State budget for the 1975-1977 biennium is of paramount concern to all citizens of Washington State and their Legislature; and

WHEREAS, The House Committee on Ways and Means is presenting to the House of Representatives a budget for the State of Washington for the 1975-77 biennium, which is divided into several segments; and

WHEREAS, The House of Representatives, over the past several days has been and is involved in the legitimate process of reprioritizing the nature and level of expenditures proposed under the original provisions of the various segments of the budgetary bills; and

WHEREAS, The segmentation of the budget has made more difficult the coordination of alterations in the various segments of the budget so as to insure that the expenditures authorized thereby do not exceed the estimated revenue available to the state through existing revenue sources; and

WHEREAS, It is the goal and determination of this House of Representatives to adopt a 1975-1977 budget which is balanced or may even provide a surplus from the revenue anticipated from existing revenue sources;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives shall refrain from third reading and final consideration of any of the segmented bills relating to budgetary appropriations for the 1975-1977 biennium until: (1) All segments of the biennial budget have been approved by the House upon second reading and (2) sufficient time has passed to allow the members of the House to analyze the various bills as a budgetary unit so as to insure that the expenditures authorized thereby do not exceed the revenue anticipated to be generated through existing revenue sources; and (3) opportunity be presented to return all segments of the biennial budget to the second reading for such amendments as may be necessary to insure the achievement of the goal of balancing authorized expenditures and anticipated revenue generated by existing sources.

Mr. Eikenberry moved adoption of the resolution.

Mr. Eikenberry spoke in favor of the resolution, and Mr. Charette spoke against it.

## POINT OF ORDER

Mr. Pardini: "The resolution addresses itself to the future and not to the last general election. I believe Mr. Charette is dragging up things that have no relevance."

The Speaker (Mr. O'Brien presiding): "It seems to the Speaker that Representative Charette is in order, that he has to go to the broader aspects of this entire resolution. It encompasses many thoughts and ideas."

Mr. Charette continued his remarks in opposition to the resolution.

The resolution was not adopted.

## MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 866, by Committee on Ways and Means - Appropriations (Originally sponsored by Representatives Shinpoch and Bagnariol):

Adopting a budget for state agencies.

The House resumed consideration of the bill on second reading.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle, North and Freeman:

On page 1, line 26 insert:

"NEW SECTION. Sec. 4. For the Public Pension Commission

General Fund Appropriation ..... \$200,000"

Renumber the remaining sections consecutively.

Mr. Kuehnle spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mrs. Hayner.

Mrs. Hayner: "Representative Bagnariol, in order to make an intelligent decision on this particular amendment in view of what I have heard, I wonder if you, as Chairman of the Ways and Means Committee, could indicate to us whether we will have an opportunity to debate on this floor the passage of Substitute Senate Bill No. 2765?"

Mr. Bagnariol: "I suppose that's a question I can't answer in a positive manner because the committee will make that decision. Right now the subcommittee in House Ways and Means is holding public hearings in four locations in the state—last night we went to Longview; on Friday night we are going to Bellingham; on Tuesday of next week we are going to the Tri-cities; on Thursday we are going to Tacoma—because we have had so many inquiries from employers and employee groups to go out into the field and let them have their input into this legislation. At that point in time the bill will be before the House Ways and Means—Appropriations Committee and the members will decide whether they approve it or disapprove it as far as bringing it out. They will have the opportunity to do that."

Mr. Freeman spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Newhouse.

Mr. Newhouse: "In your comments about Substitute Senate Bill No. 2765, I would like to ask if that will appear and at what time and before either Appropriations or full Ways and Means?"

Mr. Bagnariol: "It's hard to give you an exact answer. As you know we had planned on having these budgets out of the House last Thursday, and here we are a week later. All I can say is that we need to finish the public hearings first and I announced that we would be finished by next Thursday; then as soon as possible right after that we will schedule the bill. By the way, the subcommittee has a meeting every Saturday morning going through the details of this legislation, so it's not just sitting there idling."

## MOTION

Mr. Eikenberry moved that Substitute House Bill No. 866 be rereferred to Committee on Ways and Means - Appropriations.

Mr. Eikenberry spoke in favor of the motion, and Mr. Bagnariol spoke against it.

The motion was not carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Kuehne, North and Freeman.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Kuehne, North and Freeman to page 1, line 26 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 35; nays, 59; not voting, 4.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehne, Leckenby, Lee, Matthews, Nelson, Newhouse, North, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Ehlers, Ericson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Gaines, Gilleland, Hurley G. S., Williams.

## MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Williams, who was excused.

Mr. Charette demanded a Call of the House and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Williams.

## MOTION

On motion of Mr. Charette, the absent member was excused, and the House proceeded with business under the Call of the House.

## SECOND READING

## SUBSTITUTE HOUSE BILL NO. 866:

The House resumed consideration of the bill on second reading.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey, Deccio, Nelson, Eikenberry, Haley, Freeman, Greengo, Wilson, Peterson, Amen, Kuehne, Lee, Barnes, Tilly, Matthews, Gilleland, Zimmerman, Berentson, Schumaker, Dunlap and Hayner:

On page 1, line 23 add a new section to read as follows:

"NEW SECTION. Sec. 3. (1) Notwithstanding the provisions of

- (a) This act;
- (b) The provisions of chapter . . . , Laws of 1975 1st ex. sess. (ESHB 862);
- (c) The provisions of chapter . . . , Laws of 1975 1st ex. sess. (ESHB 863);
- (d) The provisions of chapter . . . , Laws of 1975 1st ex. sess. (ESHB 864);
- (e) The provisions of chapter . . . , Laws of 1975 1st ex. sess. (ESHB 865); or
- (f) The provisions of any other law to the contrary, the office of program planning and fiscal management shall withhold from each allotment within the series of allotments made to each state agency an

amount equal to five percent of the state general fund moneys appropriated pursuant to the hereinabove set forth laws: PROVIDED, That it is the intent of the legislature that the office of program planning and fiscal management shall have the authority and is hereby directed to administer the provisions of this section, in such a manner as to minimize the state's loss of anticipated federal funds or federal matching funds: PROVIDED FURTHER, That the legislature hereby directs the office of program planning and fiscal management not to withhold allotment of the required 5 percent of appropriated funds if all or any portion of a program or category within an agency which is dependent in whole or in part on federal funds would be jeopardized because of the loss or potential loss of anticipated federal funds or federal matching funds by reason of withholding a portion of required state funds.

All moneys withheld from allotment pursuant to the provisions of this subsection shall be placed by the state treasurer in the 'Special Levy Relief Account with the General Fund' which is hereby created.

(2) There is hereby appropriated to the superintendent of public instruction from the special levy relief account within the state general fund the sum of \$126,075,000.

The superintendent of public instruction shall allot the funds appropriated by this subsection to any common school district, on the basis of 1.0 for each full time equivalent student enrolled, if such a district has:

- (a) Levied an excess levy for maintenance and operation purposes for collection in 1976; or
- (b) Conducted the maximum number of excess levy elections pursuant to law for maintenance and operation purposes which, if successful, would have been collected in 1976; or
- (c) Per pupil cost, exclusive of transportation, which is less than the statewide average for the respective preceding year.

Each board of directors of a common school district which receives an allotment of funds from the superintendent pursuant to the provisions of this subsection and has imposed an excess levy for operation and maintenance purposes for collection in 1976 shall certify to the respective county legislative authority a reduction in the excess levy for operation and maintenance purposes equal to the amount of money received pursuant to this subsection and shall expend the amount received pursuant thereto in lieu of the excess levy funds: PROVIDED, That any school district which fails to roll back excess levies in the manner required by this provision or fails to certify as required by this provision shall not receive any allotment from the superintendent of the funds appropriated by this subsection."

Renumber the remaining sections consecutively.

The Clerk read the following amendment to the amendment by Representative Hurley (Margaret):

Strike the amendment by Representative Hansey, et al, and substitute the following:

On page 1, line 23 add a new section to read as follows:

"Notwithstanding the provisions of:

- (1) This act;
- (2) The provisions of chapter . . . , Laws of 1975 1st ex. sess. (ESHB 862);
- (3) The provisions of chapter . . . , Laws of 1975 1st ex. sess. (ESHB 863);
- (4) The provisions of chapter . . . , Laws of 1975 1st ex. sess. (ESHB 864);
- (5) The provisions of chapter . . . , Laws of 1975 1st ex. sess. (ESHB 865); or

(6) The provisions of any other law to the contrary, the office of program planning and fiscal management shall withhold from each allotment within the series of allotments made to each state agency an amount equal to five percent of the state general fund moneys appropriated pursuant to the hereinabove set forth laws: PROVIDED, That it is the intent of the legislature that the office of program planning and fiscal management shall have the authority and is hereby directed to administer the provisions of this section, in such a manner as to minimize the state's loss of anticipated federal funds or federal matching funds: PROVIDED FURTHER, That the legislature hereby directs the office of program planning and fiscal management not to withhold allotment of the required five percent of appropriated funds if all or any portion of a program or category within an agency which is dependent in whole or in part on federal funds would be jeopardized because of the loss or potential loss of anticipated federal funds or federal matching funds by reason of withholding a portion of required state funds.

All moneys withheld from allotment pursuant to the provisions of this section shall be placed by the state treasurer in the '1975 Special Levy Relief account within the General Fund' which is hereby created. Moneys within such reserve account shall be subject to expenditure only as provided by law."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, the amendment by Representative Hurley is improperly drawn and it goes into the amendment by Representative Hansey and others and strikes the balance of the amendment. It should be properly drafted and we should be able to consider the balance of the Hansey amendment starting with paragraph (2) without considering Mrs. Hurley's amendment as a separate amendment. Evidently great minds run in the same channel—the first two portions are identical, the only difference being that the Hansey amendment has additional language."



## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears to the Speaker, Representative Newhouse, that Representative Hurley's amendment is in order. It's up to the body to determine whether or not they want to adopt this amendment to the amendment. The amendment does strike all of the material in the Hansey amendment. To a degree, it's identical, but the Hansey amendment also has additional material that isn't incorporated in the Hurley amendment and she is just striking it all."

Mr. Newhouse: "Mr. Speaker, I point out to you that she could more properly have placed her amendment as deleting the last half of the Hansey amendment, then we could properly consider the amendment that was first on the desk, which includes all of her language and additional language."

The Speaker (Mr. O'Brien presiding): "Well, of course, that's a question of opinion of how you want to present amendments to amendments and how you want amendments prepared. Mrs. Hurley has taken the position that she wants to strike all of the Hansey amendment."

Mrs. Hurley (Margaret) moved adoption of the amendment to the amendment.

## POINT OF ORDER

Mr. Pardini: "The effect of the Chair's decision is to say that Mr. Hansey cannot basically offer his amendment. Representative Hurley has drawn her amendment in such a manner to preclude consideration of Representative Hansey's amendment and it was on the desk first. We are dealing with essentially the same order of business and the rule of this House has always been that in that situation the first amendment on the desk is to be considered."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The question, Representative Pardini, is up to the House to decide whether they want to adopt the amendment to the amendment. If the amendment to the amendment isn't adopted, of course, then you have Representative Hansey's amendment before you. All we have now is the amendment to the amendment."

Mr. Pardini: "Mr. Speaker, the point of my point of order is that the amendment to the amendment is a subterfuge. It's an attempt to—"

The Speaker (Mr. O'Brien presiding): "Mrs. Hurley might have something to say on that."

Mr. Pardini: "She probably will, but I think the Speaker has the obligation to rule and not put it to the body."

The Speaker (Mr. O'Brien presiding): "The Chief Clerk says, 'Ladies first.' The question is the amendment to the amendment."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Curtis: "Representative Hansey's amendment that continues on past the point where Representative Hurley's amendment would strike to, has a very important item in it and that is the distribution of the fund created by this amendment. If Representative Hurley wishes to create a fund, but in no way to disburse it, then how is the House to consider how we want the funds disbursed? According to your ruling, if we adopt Representative Hurley's amendment, then we may not consider Representative Hansey's. If that's the case then we have no means of disbursing the funds to the school districts who need them."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Well, Representative Curtis, it's up to the body to determine whether or not Mrs. Hurley's amendment is faulty and whether or not they want to adopt it or reject it. It's before the House now; you can point all these matters out in your arguments. At the present time the motion before us is the motion to adopt the amendment to the amendment."

Mrs. Hurley (Margaret) spoke in favor of the amendment to the amendment.

## POINT OF PERSONAL PRIVILEGE

Mrs. Hurley (Margaret): "It's most peculiar, ladies and gentlemen of this House, how Mr. Hansey's amendment is my amendment word for word down to the last sentence. Now I

don't blame Mr. Hansey and I don't blame the other sponsors of this amendment; there's something wrong around here and I think the problem is that amendments are not sacred when they come out of Bill Drafting. I originated this idea in this amendment to subtract five percent from all the foregoing budgets and put them into a reserve account to be used for special levies, last Tuesday. I talked to John O'Brien about it and he said that I couldn't do that, that the budget had already passed and I couldn't do that. I said that I had to do it somehow because schools are in need, they need money for special levies and I think this legislature ought to do something to answer this problem. So I went to Dick White down in Bill Drafting and I said to him that I wanted to put some wording such as you see right on the top part of my amendment, notwithstanding the provisions of one budget after the other, until we get right down to the last budget, excluding the capital budget—I didn't want that five percent withheld from the capital budget, and Dick White said yes, he could do that and he brought in his special expert on this and we came up with this provision. We talked back and forth during the week and it was on the provision that no state money should be subtracted from those matching moneys for federal funds because we don't want to do that. He wrote that provision in explicitly because I talked to him about it. Then he had written in a different name for a reserve account and so I called Representative Moon and asked him about an amendment and he came down to my office and personally brought me a copy of the amendment. And so my secretary and I changed the name and we called it 'Special Levy Relief Account within the General Fund.' Now, it's remarkable, as I say, how great minds can run in such an identical channel. I believe Representative Shinpoch and Representative Bagnariol remember when I had the first draft—this is not the first draft—I had the first draft, and I went to each one of them and asked them to cosponsor it with me and Representative Bagnariol said, 'It's interesting,' and Representative Shinpoch said, 'Let me think about it.' I didn't want to put them on the spot; actually I was trying to be as tolerant of them as they were of me so I didn't ask them again. I even showed it to the Speaker and asked him if a Speaker had ever cosponsored an amendment and he said, 'Not yet they haven't.' On that very day that I got the first one, I signed a copy and I sent it to John Lemon over there and I said, 'John, this isn't for publication today, it isn't until we get on the last budget.' I wanted this to be a surprise thing and I kind of wanted it for yesterday when all those kids were there, but it didn't happen that we got on this budget. You say it was not on the desk ahead of yours. Well, actually I had taken it to Don Wilson, I had shown it to him and then I withdrew it because I thought it was not timely; it would get out here and a lot of people would begin rationalizing just like they do on every—you can call it a special levy vote if you want to, people rationalize on special levy votes. So I got them back and here they are, the whole batch of them. I was going to have them passed around after we got to page 48; my original amendment did say page 48 and I thought as long as they had taken some unusual privileges with my amendment I would take a little unusual privileges with them and I would steal their page and steal their line, which I did, which puts us all on the same page and on the same line. Now, Mr. Speaker, my point of personal privilege is over and if we could now vote on whether my amendment is substituted for Mr. Hansey's amendment, then I'll go into the meat of the bill."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Eikenberry: "In view of the ruling of the Chair, it appears that in considering that I do favor this concept so far as it is reflected in the Hurley amendment to the amendment, the Chair is going to put me into a position of having to vote no in order to get at some additional concepts, because the way this has developed I will be precluded from asking the body to consider two additional items that are not in the amendment; specifically, the distribution of the money and particularly the amount of the money. I would like to inquire of the Chair, how may I get these two additional items to this body in view of the Chair's ruling?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "I'll refer you to Reed's Rule 159 - Limitation as to Amendments. It states in part that '... amendments are made to perfect the main question, and to enable it to obtain the vote of the assembly, but if the assembly is opposed to the question it is not confined to a direct negative. It may oppose it in various ways. Hence the enemies of the proposition may present such amendments as will render it obnoxious to the assembly and cause its rejection. They may also change and reverse its purpose, make praise out of censure, condemn instead of approve, or otherwise alter the meaning.' And so a member of the legislative body has the right to offer amendments of this nature and it's up to the

body to determine the action relative to the question. The matter before you, the amendment to the amendment, is before the body to determine."

#### POINT OF PARLIAMENTARY INQUIRY

Mrs. Hurley (Margaret): "My amendment could, could it not, be adopted—I would welcome a lot of extra signatures on it—and then as an amendment, those portions of Mr. Hansey's that are agreed to by the House or are acceptable or relevant could then be adopted, could they not?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "No. If the body adopts your amendment to the amendment, you are striking all of that material offered in the original amendment."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Eikenberry: "Could the Chair, because of the unusual way this situation has developed, accept an amendment to Representative Hurley's amendment so that this body can consider the issues laid out in subsection (2) of Representative Hansey's amendment?"

The Speaker (Mr. O'Brien presiding): "Well, Representative Eikenberry, if I can refresh your memory, the other day you questioned on a second amendment to an amendment."

Mr. Eikenberry: "I'm also aware, Mr. Speaker, that the Chair can override rules like that to get at the will of the body. All I'm saying is that the peculiar parliamentary steps that have gone through will prevent the body from considering a very important amendment."

The Speaker (Mr. O'Brien presiding): "Well, let's see what happens to one of those matters before you."

The Speaker assumed the Chair.

#### POINT OF PERSONAL PRIVILEGE

Mr. Hansey: "Mr. Speaker, ladies and gentlemen of the House: My motives have been impugned by Mrs. Hurley and I want you and everybody else to know precisely what happened on this measure. A week ago I went to Mr. Dave Greenwood, who is a staff member of the Ways and Means Committee, hired by your Democratic majority, a very fine young man, and I asked him to draft me a series of amendments that I could put on every budget bill that went through this legislature to require that some percentage of the general fund appropriation would be put into special levy relief. Mr. Greenwood came back to me a week ago and he handed me this amendment which I presented this morning immediately upon the convening after we had caucused. This amendment has been in my possession at least a week. I did not get it from Dick White, the Code Reviser, where Mrs. Hurley got hers. He no doubt went to a specialist to get the amendment that he gave to Mrs. Hurley and he apparently gave him the same amendment that he prepared for me; however the full purpose of this amendment is to provide for the people of this state some much needed special levy relief. I fail to see why we have to have such a political hassle over something that we are attempting to do to solve the problems of the people of this state and to make it a personal thing. If Mrs. Hurley had come to me I would have most certainly joined with her on the amendment. I really don't care, I want something done for the people, but I resent the implication that I or anyone else in this legislative body stole something from somebody else. It simply is not true and I resent the implications of that and I want the record to show that."

#### POINT OF PERSONAL PRIVILEGE

Mrs. Hurley (Margaret): "If I have impugned the motives of Representative Hansey or any of the members who are sponsoring this amendment, I abjectly apologize. I did make the remark that I thought there should be a date on amendments and I still think probably there should be a date on amendments just like there is a date on bills when they are drafted. I probably unrightly surmised that the problem was in Bill Drafting. I apologize if I have given anybody the impression that I impugned the motives of Mr. Hansey or anybody who signed his amendment."

Mr. Eikenberry spoke against adoption of the amendment to the amendment.

Mr. Hurley (George) demanded an electric roll call and the demand was sustained.

Mr. Hansey spoke against the amendment to the amendment.

Mr. Bagnariol spoke in opposition to the amendment to the amendment.

#### SPEAKER'S ADMONITION

The Speaker: "Representative Bagnariol, I think we have had enough explanations as to the sponsorship; let's get to the merits of the amendment. We have a budget that's a very important budget before us and I would like to see this House start moving into the merits of the question rather than talking about personalities. Quite frankly, I'm embarrassed by the conduct of the House. Let's get to work on the budget."

Mr. Bagnariol continued his remarks in opposition to the amendment.

Mr. Charette demanded the previous question and the demand was sustained by an electric roll call vote.

#### ROLL CALL

The Clerk called the roll on the demand for the previous question by Mr. Charette, and the demand was sustained by the following vote: Yeas, 54; nays, 40; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Erickson, Fischer, Fortson, Gaines, Gaspard, Hanna, Hansen, Haussler, Hayner, Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Patterson, Perry, Savage, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Blair, Bond, Brown, Chandler, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Jueling, Kuehnle, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Peterson, Polk, Randall, Schumaker, Sherman, Wilson.

Not voting: Representatives Charnley, Gallagher, Leckenby, Williams.

#### MOTION

Mr. Hansey moved that the rules be suspended and that all names be removed from his amendment and only the names of Representatives Hurley (Margaret) and Hansey remain as sponsors of the amendment.

Mr. Hansey spoke in favor of the motion and Mr. Hurley (George) spoke against it.

#### POINT OF ORDER

Mr. Eikenberry: "The motion before us is strictly the issue of substituting names and suspending the rules; the remarks by Representative George Hurley have nothing to do with that subject and therefore are out of order."

The Speaker: "Representative Hurley, I think the point of order is well taken. If you could confine your remarks to the issue of substituting names, I think this is what we should limit it to."

Mr. Hurley continued his remarks in opposition to the motion.

#### ROLL CALL

The Clerk called the roll on the motion to delete all names from the amendment by Representative Hansey and others, and substitute the names of Representatives Hurley (Margaret) and Hansey, and the motion was lost by the following vote: Yeas, 35; nays, 62; not voting, 1.

Voting yea: Representatives Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representative Williams.

The Speaker stated the question before the House to be the amendment by Representative Hurley (Margaret) to the amendment by Representative Hansey and others.

Representatives Peterson and Flanagan spoke in favor of the amendment to the amendment, and Representatives Moon and Fortson spoke against it.

Mr. Conner demanded the previous question. The Speaker announced that the demand was not sustained, and a roll call was requested.

#### ROLL CALL

The Clerk called the roll on the demand for the previous question by Representative Conner, and the demand was not sustained by the following vote: Yeas, 63; nays, 34; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Jueling, Kuehnle, Leckenby, Lee, Lysen, Matthews, Pardini, Paris, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative Williams.

Representatives Eikenberry, Freeman, Hurley (Margaret), Polk, Berentson and Chandler spoke in favor of the Hurley amendment to the Hansey amendment, and Representatives Warnke, King and Lysen spoke against it.

Mr. Luders demanded the previous question and the demand was not sustained.

Representatives Matthews, Lee and Deccio spoke in favor of the amendment to the amendment, and Representatives Patterson, Whiteside, Hurley (George), Bagnariol and Chatalas spoke against it.

Mr. Clemente demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (Margaret) to the amendment by Representative Hansey and others to Substitute House Bill No. 866, and the amendment to the amendment was not adopted by the following vote: Yeas, 29; nays, 68; not voting, 1.

Voting yea: Representatives Barnes, Berentson, Blair, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hurley M., Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Peterson, Polk, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Williams.

The Speaker stated the question before the House to be the amendment by Representative Hansey and others to page 1, line 23.

Representatives Hansey and Haley spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Eikenberry demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hansey and others to page 1, line 23 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 31; nays, 66; not voting, 1.

Voting yea: Representatives Barnes, Berentson, Blair, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hurley M., Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Peterson, Polk, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson,

Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Williams.

Mr. Shipoch moved adoption of the following amendment:

On page 2, line 12 after "courts" insert a new paragraph as follows:

"The administrator for the courts is hereby authorized and directed to perform all accounting and fiscal management responsibilities for the supreme court, the courts of appeals, the state's share of superior court expenses, the judicial council, and the judges' retirement fund. In order to implement the duties imposed herein the administrator may expend funds appropriated by this subsection and such expenditures shall be reimbursable from the hereinabove described courts and agencies in the manner provided by law."

Mr. Shipoch spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Shipoch to page 2, line 12 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Williams.

On motion of Mr. Shipoch, the following amendment was adopted:

On page 2, strike lines 16 through 18 and insert:

"General Fund Administration: PROVIDED, That \$638,367 is from state funds and \$170,912 is from federal funds ..... \$809,279"

On motion of Mr. Charette, the following amendment by Representatives Charette and Eng was adopted:

On page 2, line 24 strike "\$45,848" and insert "\$95,848" and on line 26 strike "\$3,597,141" and insert "\$3,647,141"

On motion of Mr. Bagnariol, the following amendment was adopted:

On page 3, line 15 after "SPECIAL APPROPRIATIONS" insert the following "subsections 1 through 6 of this section are hereby appropriated from the General Fund."

The Speaker called on Mr. O'Brien to preside.

Mr. Newhouse moved adoption of the following amendment:

On page 3, line 22 after "Governor's" strike the remainder of the line and insert

"Emergency, to be allocated for the carrying out of the critically necessary work of any agency: PROVIDED, That \$700,000 may be allotted by the Governor for surveys and installations ..... \$1,330,000"

Mr. Shipoch moved adoption of the following amendment to the Newhouse amendment:

After "agency:" strike "PROVIDED, That \$700,000 may be allotted by the Governor for surveys and installations" and strike "\$1,330,000" and insert "\$630,000"

Representatives Shipoch and Bagnariol spoke in favor of the amendment to the amendment, and Representatives Newhouse and Curtis spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Shipoch to the Newhouse amendment to page 3, line 22 of Substitute House Bill No. 866, and the amendment to the amendment was adopted by the following vote: Yeas, 64; nays, 33; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley

M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Parker, Perry, Randall, Savage, Sherman, Shipchoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Leckenby, Lee, Matthews, Nelson, Newhouse, Paris, Patterson, Peterson, Polk, Schumaker, Seeberger, Tilly, Whiteside, Zimmerman.

Not voting: Representative Williams.

Mr. Pardini, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representative Shipchoch to the amendment by Representative Newhouse was adopted.

Representatives Pardini and Newhouse spoke in favor of the motion, and Representatives Bagnariol, Shipchoch and Maxie spoke against it.

Mr. Newhouse spoke again in favor of the motion.

The motion for reconsideration was lost.

The amendment by Representative Newhouse as amended was adopted.

On motion of Mr. Bagnariol, the following amendment was adopted:

On page 4, line 30 strike "\$519,296" and insert "\$569,296"

Mr. Conner moved adoption of the following amendment:

On page 4, after line 33 insert the following:

"NEW SECTION. Sec. 14. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL

General Fund Appropriation ..... \$205,524"

Renumber the remaining sections consecutively.

Representatives Conner, Wilson and Hanna spoke in favor of the amendment, and Mr. Shipchoch spoke in opposition to it.

Mr. Conner spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Conner to page 4 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; not voting, 1.

Voting yea: Representatives Adams, Bausch, Becker, Boldt, Brown, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Eikenberry, Eng, Fischer, Fortson, Gaines, Hanna, Hawkins, Hendricks, Hurley G. S., Kalich, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, Moon, O'Brien, Pardini, Parker, Perry, Peterson, Savage, Sherman, Smith E. P., Thompson, Valle, Warnke, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bender, Berentson, Blair, Bond, Ceccarelli, Curtis, Deccio, Dunlap, Ehlers, Erickson, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Luders, Matthews, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, Paris, Patterson, Polk, Randall, Schumaker, Seeberger, Shipchoch, Smith R., Sommers, Tilly, Whiteside, and Mr. Speaker.

Not voting: Representative Williams.

STATEMENT FOR THE JOURNAL

I wish the record to show my vote as "Aye" rather than "Nay" on the Indian Council amendment.

ALEX DECCIO, 15th District.

Mr. Amen moved adoption of the following amendment by Representatives Amen and Hurley (Margaret):

On page 4, line 34 strike section 14 and renumber the remaining sections consecutively.

Representatives Amen and Hurley (Margaret) spoke in favor of the amendment, and Representatives Parker and Eng spoke against it.

POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Blair.

Mr. Blair: "Did you say that you were simply transferring the existing funds from the two appropriations?"

Mr. Amen: "That's right, except for \$50,000. We are cutting back \$25,000 from each agency, cutting it down to the Human Rights Commission."

Representatives Polk and Amen spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

The amendment by Representatives Amen and Hurley (Margaret) was not adopted.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn, Cochrane and O'Brien:

On page 5, line 1 insert a new section to read as follows:

"NEW SECTION. Sec. 15. FOR THE WASHINGTON STATE WOMEN'S COUNCIL

General Fund Appropriation ..... \$89,144"

Renumber the remaining sections consecutively and change the internal references accordingly.

Mrs. Wojahn spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mrs. Wojahn.

Mrs. Wojahn: What happens if the Senate bill passes without an appropriation and there's no appropriation in the budget? We wouldn't self-destruct, but then we'd be left stranded with no funds. I am a member of the Women's Council incidentally and that's the reason that I'm concerned."

Mr. Shinpoch: "Obviously, if they change the bill then it becomes a conference item between the House and the Senate and I would assume that we would insist on our position—that it doesn't do it any good to make it a statutory agency if you are not going to fund it."

Mrs. Wojahn: "We're running out of time, as you well know, and couldn't the House bill with the appropriation move faster than the Senate bill? If the Senate were sitting on both bills, then doesn't it make it almost impossible to believe that the Senate bill might ever get out of there in time to pass, whereas with the appropriation directly on the House bill, couldn't that become law faster, and wouldn't it be more appropriate?"

Mr. Shinpoch: "I suspect that irrespective of what happens in any other bill in this legislature, that the budget bill will pass before June 30th of this year and in that context it might be safer. I do, however, attempt to maintain at least a degree of consistency to the best of my ability working within the rules that I'm given, and to be consistent, I have to oppose this amendment."

Mrs. Wojahn spoke again in favor of the amendment, and Mr. Polk spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Wojahn, Cochrane and O'Brien to page 5, line 1 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 50; nays, 47; not voting, 1.

Voting yea: Representatives Adams, Bauer, Bausch, Becker, Bender, Boldt, Brown, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, McCormick, Moon, North, O'Brien, Pardini, Parker, Perry, Randall, Savage, Seeberger, Sherman, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Berentson, Blair, Bond, Ceccarelli, Chandler, Clemente, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Knowles, Kuehnl, Luders, Matthews, May, McKibbin, Moreau, Nelson, Newhouse, Paris, Patterson, Peterson, Polk, Schumaker, Shinpoch, Smith E. P., Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative Williams.

#### MOTION FOR RECONSIDERATION

Mr. Polk, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment to page 4, line 33 by Representative Conner was not adopted.

#### POINT OF ORDER

Mr. Hurley (George): "Mr. Speaker, in Reed's Rule 205, 'Motion for Reconsideration,' I think it throws considerable doubt on this reconsideration. It states, 'A motion to reconsider



must be made on the day on which the action sought to be revised was had, and before any action has been taken by the assembly in consequence of it.' Now we did take action in consequence of this; we passed another amendment."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears to the Speaker, Representative Hurley, that your point isn't well taken; the sentence which you read relative to action taken by the assembly in consequence of it, seems that if the bill itself has been referred to committee or was in a position of action by a committee, that would be action taken in consequence of it. It has been held by rulings of Speakers, and a precedence has been established, that while a bill is on second reading, any amendment that has been acted upon can be reconsidered at any time while it is on second reading. So I will rule that the motion to reconsider the amendment is in order."

Representatives Deccio, Conner, Eng, Charnley and Hanna spoke in favor of the motion, and Representative North spoke against it.

The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the amendment by Representative Conner to page 4, line 33.

Mr. Conner spoke in favor of the amendment.

Mr. Hansey demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on reconsideration of the amendment to page 4, line 33 of Substitute House Bill No. 866 by Representative Conner, and the amendment was adopted by the following vote: Yeas, 71; nays, 26; not voting, 1.

Voting yea: Representatives Adams, Bausch, Becker, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kalich, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Smith E. P., Thompson, Tilly, Valle, Warnke, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bender, Bond, Ehlers, Erickson, Flanagan, Haley, Hansen, Hayner, Hurley M., Jueling, Kilbury, Knowles, Kuehnle, McKibbin, North, Patterson, Seeberger, Shipoch, Smith R., Sommers, Whiteside, and Mr. Speaker.

Not voting: Representative Williams.

#### STATEMENT FOR THE JOURNAL

We wish the record to show that we wished to vote "No" on the Conner amendment to page 4, line 33 of Substitute House Bill No. 866.

RON DUNLAP, 41st District.  
KEMPER FREEMAN, 48th District.

#### MOTION

Mr. Kuehnle moved that the rules be suspended and that the Committee on Rules be relieved of HOUSE BILL NO. 867, and that the bill be placed on the calendar for immediate consideration.

#### MOTION

On motion of Mr. Charette, the motion by Mr. Kuehnle was laid on the table.

Mr. Bagnariol moved adoption of the following amendment by Representatives Bagnariol and Shipoch:

On page 6, strike all the material in lines 3 through 36 and insert the following:

"General Fund Appropriations:

Operations .....	\$4,956,303
Payment of supplies and services furnished in previous biennia: PROVIDED, That allocations are made to state agencies in accordance with instructions from OPP&FM .....	\$ 400,000
Payment of assessments against the state owned lands .....	\$ 200,000"

Mr. Pardini moved adoption of the following amendment by Representatives Pardini, Zimmerman, Douthwaite, Tilly, Valle, Charnley and Hawkins to the amendment:

On page 1, line 9 of the amendment insert  
"For Alternatives For Washington ..... \$ 250,000"

Representatives Pardini, Conner, Zimmerman, Douthwaite, Charnley, Tilly and Valle spoke in favor of the amendment to the amendment, and Representatives Leckenby, Smith (Rick) and Barnes spoke against it.

Mr. Pardini spoke again in favor of the amendment to the amendment.

Mr. Chatalas demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment to the Bagnariol/Shinpoach amendment by Representative Pardini and others, and the amendment to the amendment was not adopted by the following vote: Yeas, 29; nays, 68; not voting, 1.

Voting yea: Representatives Amen, Blair, Brown, Chandler, Charette, Charnley, Chatalas, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eng, Greengo, Hanna, Hawkins, Lee, Matthews, Moon, Nelson, Newhouse, Pardini, Patterson, Peterson, Smith E. P., Tilly, Valle, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Ceccarelli, Clemente, Cochrane, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hansen, Hansey, Hausler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Paris, Parker, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoach, Smith R., Sommers, Thompson, Warnke, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representative Williams.

MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Friday, April 18, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-SIXTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Friday, April 18, 1975.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Chandler, Lysen and Perry, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Stevenson and John Rotter. Prayer was offered by The Reverend Herbert B. McLellan of St. John's Episcopal Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGES FROM THE SENATE

April 17, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on Senate Bill No. 2079 and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 17, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2194,  
ENGROSSED SENATE BILL NO. 2253,  
ENGROSSED SENATE BILL NO. 2613,  
ENGROSSED SENATE BILL NO. 2466,  
ENGROSSED SENATE BILL NO. 2611,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 28, by Representative Charette:

Joint Session to receive a message from the Governor on Monday, April 21.

#### MOTION

On motion of Mr. Charette, the rules were suspended, House Concurrent Resolution No. 28 was advanced to second reading and read the second time in full.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 28 was placed on final passage.

Representatives Charette and Newhouse spoke in favor of the resolution.

House Concurrent Resolution No. 28 was adopted.

ENGROSSED SENATE BILL NO. 2194, by Senators von Reichbauer, Washington, Grant and Stortini:

Providing for temporary appointments to fill vacancies in the office of United States senator.

To Committee on Constitution and Elections

ENGROSSED SENATE BILL NO. 2253, by Senator Day (by Department of Social and Health Services request):

Specifying the number and qualifications of the state board of examiners for nursing home administrators.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2466, by Senators Walgren, Clarke and Bottiger:

Providing for deposit of retained percentage funds on public works contract in bank or savings accounts.

To Committee on Financial Institutions

ENGROSSED SENATE BILL NO. 2611, by Senator Lewis (R. H. "Bob") - (by Secretary of State request):

Providing for automatic transfer of voter registration in county when address appears changed on precinct list of voters.

To Committee on Constitution and Elections

ENGROSSED SENATE BILL NO. 2613, by Senators Marsh, Francis and Jones:

Authorizing pre-trial diversion programs approved by the court.

To Committee on Judiciary

#### REPORTS OF STANDING COMMITTEES

April 17, 1975

HOUSE BILL NO. 94, Prime Sponsor: Representative Kilbury, including geothermal resources in the public domain. Reported by Committee on Natural Resources.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, beginning on line 4 strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 43, Laws of 1974 1st ex. sess. and RCW 79.76.040 are each amended to read as follows:

Notwithstanding any other provision of law, geothermal resources are found and hereby determined to be sui generis being neither a mineral resource nor a water resource for the purpose of regulation of geothermal resources as provided for in this chapter.

Geothermal resources are hereby declared to be owned by the state of Washington, and are to be developed in a manner consistent with the public health, safety and welfare.

The board of natural resources shall promulgate rules and regulations to govern the leasing of state-owned geothermal resources. Any leases granted pursuant to such rules and regulations shall not be construed to authorize surface entry upon lands without the owner's consent."

On page 1, beginning on line 1 of the title, after "amending" strike the remainder of the title and insert "section 4, chapter 43, Laws of 1974 1st ex. sess. and RCW 79.76.040."

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Haussler, Hurley (George), Kalich, Kilbury, Moreau, Smith (Rick).

**MINORITY recommendation:** Do not pass. Signed by Representatives Bond, Gilleland, Greengo, Hansey, Matthews, Schumaker.

To Committee on Rules for second reading.

April 16, 1975

HOUSE BILL NO. 581, Prime Sponsor: Representative Fortson, requiring challenges to a candidate for nonresidency to be filed within a specified period. Reported by Committee on Constitution and Elections.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 2, line 8 after "hear and" strike all material down to and including "challenge" on line 10 and insert "make final disposition of any charge filed on the basis of subsection (1) and (3) above unless the affidavit containing the charge"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Erickson, Hawkins, Knowles, Lysen, Sherman.

To Committee on Rules for second reading.

April 16, 1975

HOUSE BILL NO. 832, Prime Sponsor: Representative Randall, providing changes in fees charged by secretary of state for filing by corporations. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, McKibbin, Nelson, Polk.

To Committee on Rules for second reading.

April 16, 1975

HOUSE BILL NO. 1026, Prime Sponsor: Representative Sommers, allowing preference in public employment for spouses of honorably discharged totally disabled veterans. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 14 after "employment" strike all material down to and including "employment" on line 16

On page 1, line 19 after "involved" insert ": PROVIDED, That spouses of honorably discharged veterans who have a service connected permanent and total disability shall also be preferred for appointment and employment"

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Leckenby, Nelson, Polk.

To Committee on Rules for second reading.

April 17, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2125, Prime Sponsor: Senator Donohue, authorizing alteration of streams by riparian owners in cases of emergency. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 11 after "such." insert "For the purposes of this section, 'bed' shall mean that portion of a river or stream and the shorelands within the ordinary high water lines."

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Bond, Clemente, Conner, Gilleland, Greengo, Hansey, Haussler, Hurley (George), Kalich, Kilbury, Matthews, Moreau, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 16, 1975

SECOND SUBSTITUTE SENATE BILL NO. 2235, Prime Sponsor: Senator Talley, allowing certain public utility districts to acquire, construct, operate and add to sewage and sanitation systems. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Cochrane, Fischer, North, Smith (Edward), Whiteside, Wilson.

To Committee on Rules for second reading.

April 16, 1975

ENGROSSED SENATE BILL NO. 2453, Prime Sponsor: Senator Murray, granting criminal justice training commission power to lease facilities. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Cochrane, Fischer, North, Smith (Edward), Whiteside, Wilson.

To Committee on Rules for second reading.

April 16, 1975

SENATE BILL NO. 2454, Prime Sponsor: Senator Murray, directing the criminal justice education board and commission to establish minimum standards for recruitment of criminal justice personnel. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Cochrane, Fischer, North, Smith (Edward), Whiteside, Wilson.

To Committee on Rules for second reading.

April 17, 1975

ENGROSSED SENATE BILL NO. 2647, Prime Sponsor: Senator Beck, providing for transfer of state land to Kitsap county. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Bond, Clemente, Conner, Gilleland, Greengo, Hansey, Haussler, Hurley (George), Kalich, Kilbury, Matthews, Moreau, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 17, 1975

SENATE CONCURRENT RESOLUTION NO. 103, Prime Sponsor: Senator Peterson, resolving to continue cooperation with other western states to coalesce positions relating to forest programs. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Bond, Clemente, Conner, Gilleland, Greengo, Hansey, Haussler, Hurley (George), Kalich, Kilbury, Matthews, Moreau, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 16, 1975

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 129, Prime Sponsor: Senator Mardesich, amending the state Constitution. Reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 18 of the engrossed bill, being the second Senate amendment to line 17, beginning with "These" strike all material down to and including "die," on line 21.

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Erickson, Hawkins, Knowles, Lysen, Sherman.

To Committee on Rules for second reading.

SECOND READING

Mr. Charette demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Chandler, Deccio, Lysen and Perry.

MOTION

On motion of Mr. Charette, the absent members were excused and the House proceeded with business under the Call of the House.

SUBSTITUTE HOUSE BILL NO. 866, by Committee on Ways and Means - Appropriations (Originally sponsored by Representatives Shinpoch and Bagnariol):

Adopting a budget for state agencies.

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment on page 6, line 3 by Representatives Bagnariol and Shinpoch.

Mr. Pardini moved adoption of the following amendment to the Bagnariol/Shinpoch amendment:

On line 9 of the amendment insert

"For State magazine..... \$200,000"

Representatives Pardini, Leckenby and Bauer spoke in favor of the amendment to the amendment, and Representative Becker spoke against it.

Mr. Pardini spoke again in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to the Bagnariol/Shinpoche amendment to page 6 of Substitute House Bill No. 866, and the amendment to the amendment was not adopted by the following vote: Yeas, 44; nays, 50; not voting, 4.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Berentson, Blair, Bond, Brown, Charette, Charnley, Curtis, Dunlap, Ehlers, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnie, Laughlin, Leckenby, Lee, Matthews, Moon, Moreau, Nelson, Newhouse, Pardini, Parker, Patterson, Peterson, Polk, Schumaker, Sommers, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Becker, Bender, Boldt, Ceccarelli, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Luders, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Paris, Randall, Savage, Seeberger, Sherman, Shinpoche, Smith E. P., Smith R., Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Chandler, Deccio, Lysen, Perry.

Mr. Bagnariol spoke in favor of the amendment by Representatives Bagnariol and Shinpoche, and it was adopted.

Mr. Gaspard moved adoption of the following amendment by Representatives Gaspard, Ehlers, Erickson, Adams, Wojahn, Gallagher, Parker, Hanna and Hawkins:

On page 10 after line 4 and after section 25 insert the following:

"NEW SECTION, Sec. 26. For the Department of Revenue General Fund Appropriation:

To appropriate moneys to the operating funds of local taxing districts within Pierce County as supplemental assistance for the reimbursement of such moneys as may be expended during the fiscal years 1975 and 1976 for the purpose of refunding regular real property taxes in the amount of \$987,988, which were collected prior to the decision in Valentine v. Johnston, 83 Wn. 2d 390 (1974), plus \$355,764 as interest from the date of collection of such taxes: PROVIDED, That it is the intent of the legislature that this appropriation is remedial and procedural because of the unique circumstances arising from the retroactive application of RCW 84.48.085, notwithstanding any order of the state department of revenue to the contrary ..... \$1,343,772."

Renumber the remaining sections consecutively.

Mr. Gaspard spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Gaspard and others to page 10, line 4 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 45; nays, 49; not voting, 4.

Voting yea: Representatives Adams, Becker, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Martinis, Maxie, May, McCormick, McKibbin, Moon, O'Brien, Parker, Savage, Seeberger, Sherman, Smith E. P., Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bond, Brown, Curtis, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gilleland, Greengo, Hansey, Hayner, Hendricks, Hurley M., Kuehnie, Laughlin, Leckenby, Lee, Luders, Matthews, Moreau, Nelson, Newhouse, North, Pardini, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Shinpoche, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson.

Not voting: Representatives Chandler, Deccio, Lysen, Perry.

Mr. Bagnariol moved adoption of the following amendment:

On page 10, line 26 strike "\$1,791,000" and insert "\$1,915,661"

Mr. Bagnariol spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Pardini.

Mr. Pardini: "It was my information from talking with the staff members of Ways and Means that the six staff people to comply with capital budget requirements had been included in the OPP&FM budget. Are we duplicating our efforts here?"

Mr. Bagnariol: "I don't believe so; I can't answer directly. This was a recommendation of the staff who worked with General Administration, that these positions were necessary. I can check that out for you if you would like."

Mr. Pardini: "Seriously, I would think that we should, because the answer that they gave me yesterday was that this \$175,000 was included in your previous amendment to the OPP&FM budget."

Mr. Bagnariol: "The people in OPP&FM were budget analyst types and the people in this amendment are an engineer and two architects."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bagnariol to page 10, line 26 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 60; nays, 34; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hayner, Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Schumaker, Tilly, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Chandler, Deccio, Lysen, Perry.

Mr. Fischer moved adoption of the following amendment:

On page 12, line 20 strike "\$542,078" and insert "\$572,329"

Representatives Fischer and Hendricks spoke in favor of the amendment, and Representatives North and Polk spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fischer to page 12, line 20 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 24; nays, 70; not voting, 4.

Voting yea: Representatives Adams, Barnes, Charnley, Douthwaite, Erickson, Fischer, Fortson, Haussler, Hendricks, Hurley G. S., Jastad, Kalich, King, Matthews, May, Moon, O'Brien, Parker, Savage, Sherman, Smith E. P., Valle, Warnke, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Dunlap, Ehlers, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hurley M., Juelling, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, Pardini, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Tilly, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Deccio, Lysen, Perry.

The Clerk read the following amendment by Representatives Flanagan, Amen, Bauer and Curtis:

On page 17, line 1 strike "31,890,222" and insert "18,240,000: PROVIDED, That the first requirement for these funds shall be the guarantee of payment of debt service for mass transit bonds issued under terms of Substitute Senate Bill No. 2813, chapter 136, Laws of 1973, 1st ex. sess."

With the consent of the House, Mr. Flanagan withdrew the amendment.

Mr. Kuehnle moved adoption of the following amendment:

On page 17, strike all material on line 33 and on line 34 strike "1,847,072" and insert "764,244"

Representatives Kuehnle and Leckenby spoke in favor of the amendment, and Representatives Shinpoch and Haussler spoke against it.

Mr. Kuehnle spoke again in favor of the amendment, and Mr. Shinpoch again spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle to page 17 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 20; nays, 74; not voting, 4.



Voting yea: Representatives Barnes, Bond, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hayner, Juelling, Kuehne, Leckenby, Matthews, Nelson, Schumaker, Tilly, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Chandler, Deccio, Lysen, Perry.

Mr. Conner moved adoption of the following amendment:

On page 18, line 1 strike "671,049" and insert "971,049" and on line 2 strike "6,189,511" and insert "6,489,511"

Representatives Conner and Haussler spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment was not adopted.

Ms. Sommers moved adoption of the following amendment:

On page 21 strike lines 6 through 9 and on page 18, line 2 after "6,189,511" insert the following:

"General Fund Appropriation: For the state building code advisory council as established in chapter 96, Laws of 1974 ex. sess. .... \$35,400"

Representatives Sommers and Bond spoke in favor of the amendment and it was adopted.

Mr. Randall moved adoption of the following amendment:

On page 18, insert between lines 2 and 3 the following:

"Community Planning Program  
General Fund Appropriation: PROVIDED, That \$86,000 is from state funds ..... \$86,000"

Mr. Randall spoke in favor of the amendment, and Mr. Curtis spoke against it.

The amendment was not adopted.

Mr. Charnley moved adoption of the following amendment by Representatives Charnley, Parker, Thompson and Cochrane:

On page 18, insert between line 9 and 10 the following:

"Child Development Planning Project  
General Fund Appropriation: PROVIDED, That \$191,202 is from state funds ..... \$191,202"

Mr. Charnley spoke in favor of the amendment, and Mr. Bagnariol spoke in opposition to it.

The amendment was not adopted.

On motion of Mr. Shinpoch, the following amendment was adopted:

On page 18, strike lines 20 and 21 and insert the following:

"General Fund Appropriation: PROVIDED, That \$84,804,826 is from federal funds ..... \$84,804,826"

Mr. Hanna moved adoption of the following amendment:

On page 18 insert between lines 34 and 35 the following:

"Voluntary Action Program  
General Fund Appropriation: PROVIDED, That \$215,999 is from state funds ..... \$215,999"

Representatives Hanna, Moon and Smith (Rick) spoke in favor of the amendment, and Representative Shinpoch spoke against it.

Mr. Hanna spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hanna to page 18, line 35 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 56; nays, 38; not voting, 4.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Kalich, Kilbury, King, Laughlin, Leckenby, Martinis, Matthews, Maxie, Moon, Nelson, Paris, Parker,

Patterson, Peterson, Savage, Seeberger, Sherman, Smith E. P., Smith R., Thompson, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Amen, Bagnariol, Barnes, Bausch, Berentson, Bond, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansen, Hansey, Hurley M., Jastad, Juelling, Knowles, Kuehnle, Lee, Luders, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Polk, Randall, Schumaker, Shipoch, Sommers, Tilly, Warnke, and Mr. Speaker.

Not voting: Representatives Chandler, Deccio, Lysen, Perry.

Mr. Kuehnle moved adoption of the following amendment:

On page 19, line 30 strike "1,601,806" and insert "1,451,806" and on line 32 strike "1,779,806" and insert "1,629,806"

Mr. Kuehnle spoke in favor of the amendment, and Representatives Bagnariol and North spoke against it.

Mr. Kuehnle spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Shipoch, the following amendments were adopted:

On page 20, line 32 strike "5,991,824" and insert "6,259,696" and on page 20, line 33 strike "1,053,086" and insert "1,100,361"

On page 23, line 6 after "period" insert ": PROVIDED, That \$500,000 is from federal sources"

On motion of Mr. Curtis the following amendments were adopted:

On page 23, line 10 strike "design, development," and insert "continuation"

On page 23, line 12 strike "at least 100"

On page 23, lines 27 through 28 strike "met. General Fund Appropriation ..... \$75,000" and insert "met, and a new, competitive bid process be employed which stresses assessment of past performance by interested potential contractors.

General Fund Appropriation ..... \$90,000"

On page 23, line 15 strike "retarded and this" and insert "retarded. This"

On page 23, lines 30 through 31 strike "in developing" and insert "for the continuation and further development of"

On page 24, lines 11 through 12 strike "nonperformance.

General Fund Appropriation ..... \$125,000"

and insert:

"nonperformance, and a new, competitive bid process be employed which stresses assessment of past performance by interested potential contractors.

General Fund Appropriation ..... \$175,000"

On page 24, line 17 after "to full time employment" insert ": PROVIDED FURTHER, That a new, competitive bid process be employed which stresses assessment of past performance by interested potential contractors"

On page 24, line 25 strike "newly"

On page 25, line 13 after "security," insert "The Planning and Community Affairs Agency shall provide to the Department of Employment Security the necessary CETA funds required to implement this program including counties with a population of 100,000 or less"

On page 25 following line 23 insert:

"(9) It is the intent of the legislature that a program be instituted through contracts with private training schools for the delivery of training and placement services to persons applying at Neighbors in Need Food Banks. The contracts for services shall be based on performance criteria with significant penalties for non-performance, and contractors shall be chosen on a competitive basis by the Department of Employment Security. The department shall administer the program and shall report the combined results of this project as well as the prior project carried out under section 22, chapter 197, Laws of 1974 ex. sess., to the legislature in January, 1976.

General Fund Appropriation ..... \$75,000"

Mr. Parker moved adoption of the following amendment by Representatives Parker, Fortson, Eng, Valle, Cochrane, Fischer, Hawkins, Hanna, Adams, Savage, Hurley (George), Warnke, Kalich, Blair, Sherman, Chandler, Perry, Maxie, Becker, Seeberger, Douthwaite and Brown:

On page 25 after line 23 insert a new subsection as follows:

"(9) The appropriation contained in this subsection shall be expended for continuation of the Program for Local Service in which full-time, stipended volunteers shall spend one year in service to local government agencies and private, non-profit corporations. The program shall provide recruitment, placement, training and support of volunteers in nonstaff activities which focus on human, social and environmental services.

General Fund Appropriation ..... \$3,000,000"

Representatives Parker, Zimmerman and Cochrane spoke in favor of the amendment, and Representatives Hayner and Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Parker and others to page 25, line 23 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 45; nays, 49; not voting, 4.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Matthews, Maxie, Moon, Nelson, Pardini, Paris, Parker, Peterson, Randall, Savage, Seeberger, Sherman, Smith E. P., Valle, Warnke, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Berentson, Bond, Charette, Chatalas, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Knowles, Kuehnle, Leckenby, Lee, Luders, Martinis, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Patterson, Polk, Schumaker, Shipoch, Smith R., Sommers, Thompson, Tilly, Whiteside, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Deccio, Lysen, Perry.

The Clerk read the following amendment by Representatives Douthwaite, Hawkins and Leckenby:

On page 26, strike all of line 12 and strike "464,012" on line 13 and insert "250,000"

#### POINT OF ORDER

Mr. Ceccarelli: "Mr. Speaker, I'm sitting here day after day, week after week seeing us fritter away a lot of time on some very well-meaning amendments, but I'm just wondering if there is any way for the Speaker of this House to hasten this action a little bit, possibly by limiting the number of speakers on each side or limiting the amount of time for debate? I know in the past we have had speakers who have limited time on each side to maybe eliminate some of the me-too speeches. I'll refer you to Reed's Rule 159 that was enacted last session to try to eliminate some of this lengthy debate that we are getting on some well-meaning amendments, some of which I'm voting for, but maybe we could hurry this along a little bit."

#### SPEAKER'S REPLY

The Speaker (Mr. O'Brien presiding): "Well, the Speaker yesterday made a statement that he'd like to have one speaker from each side, but we have a democracy and how you are going to stop it at the present time, I don't know. Talk to both the majority leader and the minority leader and maybe work some program out."

Mr. Douthwaite moved adoption of the amendment, and spoke in favor of it.

Representatives Erickson, Peterson and Polk spoke in opposition to the amendment, and Mr. Leckenby spoke in favor of it.

Mr. Charette demanded the previous question and the demand was sustained.

The amendment was not adopted.

The Clerk read the following amendment by Representative Eng:

On page 26, after line 16 after "appropriation:" insert "PROVIDED, That at least \$100,000 shall be expended to finance the development of racial minority arts:"

#### POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Conner.

Mr. Conner: "Representative Eng, this amendment of yours pertains to the State Arts Commission and I wonder if you could explain the rationale behind this amendment?"

Mr. Eng: "The reason that I proposed this amendment is because I felt that there is a need for us in this heterogeneous society to emphasize the different cultural groups and the Washington State Arts Commission does some of these things in relation to origins in our state. Yesterday I talked to the head of the Commission, Mr. Hazeltine, and asked him if they are emphasizing these other areas in relation to different minority groups in our state and he said that they had spent about \$20,000 last year in relation to the minorities or toward their cultural background. I asked why they didn't emphasize it more and he said that they would like to do that and if I would not continue to emphasize this amendment that they would try,

within this biennium, to see if they could improve it in this area and he will get back to me with a letter and also work with me to try to change this."

With the consent of the House, Mr. Eng withdrew the amendment.

Mr. Shinpoch moved adoption of the following amendment:

On page 26, line 17 strike "\$290,551" and insert "\$315,797" and on page 26, line 18 strike "\$1,115,551" and insert "\$1,140,797"

Mr. Polk moved adoption of the following amendment to the Shinpoch amendment:

Strike "315,797" and insert "1,305,797"

Mr. Polk spoke in favor of the amendment to the amendment, and Mr. Shinpoch spoke against it.

The amendment to the amendment was not adopted.

The Clerk read the following amendment by Representative Polk to the Shinpoch amendment:

Strike "315,797" and insert "329,854"

With the consent of the House, Mr. Polk withdrew the amendment to the amendment.

Mr. Polk moved adoption of the following amendment to the Shinpoch amendment:

Strike "315,797" and insert "347,094"

Mr. Polk spoke in favor of the amendment to the amendment, and Mr. Shinpoch spoke against it.

Mr. Polk spoke again in favor of the amendment, and it was not adopted.

The Clerk read the following amendment by Representative Polk to the Shinpoch amendment:

Strike "1,140,797" and insert "1,172,094"

With the consent of the House, Mr. Polk withdrew the amendment.

The amendment by Representative Shinpoch was adopted.

The Speaker assumed the Chair.

Mr. Bond moved adoption of the following amendment:

On page 26, beginning with line 14 strike all material through "1,115,551" on line 18  
Renumber the remaining sections consecutively.

Representatives Bond and Haley spoke in favor of the amendment, and Representatives Polk, Charnley and Bagnariol spoke against it.

Mr. Luders demanded the previous question and the demand was sustained.

The amendment was not adopted.

Mr. Charette moved adoption of the following amendment by Representatives Charette, Eikenberry, May, Peterson, Charnley, Lee, Hanna, Tilly and Eng:

On page 26 after "1,225,551" on line 20 insert the following:

"General Fund Appropriation: For a grant to the United Indians of All Tribes  
Foundation for construction of the Native American Bicentennial Center at  
Discovery Park, Seattle, Washington..... \$502,258"

Representatives Charette, Eikenberry and Sommers spoke in favor of the amendment, and Representatives Kuehnle, Haley and Newhouse spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Leckenby.

Mr. Leckenby: "I am sympathetic to this project; I wonder if there are private funds that would be funneled into this program or if the development is entirely from these anticipated state funds? Is there a capital budget for this project?"

Mr. Charette: "Representative Leckenby, I am not only sympathetic but supportive of the program. There is anticipated that approximately \$580,000 from the private sector will be put in. There is a great deal of interest and cooperation not only from the public sector, but from the private sector concerning this project that will be constructed within your city."

Mr. Leckenby: "What funds would be available for operating this project? Would this put a load on local government?"

Mr. Charette: "I'm sorry, I can't answer that question."

Mr. Charnley spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Charette and others to page 26, line 20 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 47; nays, 47; not voting, 4.

Voting yea: Representatives Adams, Bauer, Becker, Berentson, Blair, Boldt, Brown, Charette, Charnley, Clemente, Cochrane, Conner, Curtis, Douthwaite, Eikenberry, Eng, Fischer, Fortson, Gaines, Hanna, Hansey, Hawkins, Hurley G. S., King, Laughlin, Lee, Matthews, Maxie, May, Moon, Moreau, Pardini, Parker, Peterson, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bausch, Bender, Bond, Ceccarelli, Chatalas, Dunlap, Ehlers, Erickson, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, Knowles, Kuehne, Leckenby, Luders, Martinis, McCormick, McKibbin, Nelson, Newhouse, North, O'Brien, Paris, Patterson, Polk, Randall, Seeberger, Smith R., Whiteside, Wojahn, and Mr. Speaker.

Not voting: Representatives Chandler, Deccio, Lysen, Perry.

#### MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Adams, Ceccarelli, Lee, Lysen, Martinis and Perry, who were excused.

#### MESSAGES FROM THE SENATE

April 18, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2079,  
SENATE CONCURRENT RESOLUTION NO. 111,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 18, 1975

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 28,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary. SIGNED BY THE SPEAKER

The Speaker (Mr. Charette presiding) announced that the Speaker had signed:

SENATE BILL NO. 2079,  
SENATE CONCURRENT RESOLUTION NO. 111,  
HOUSE CONCURRENT RESOLUTION NO. 28.

Mr. Thompson demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Adams, Lee, Lysen, Martinis, Parker and Perry.

## MOTION

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

## SECOND READING

## SUBSTITUTE HOUSE BILL NO. 866:

The House resumed consideration of the bill on second reading.

## MOTION FOR RECONSIDERATION

Mr. Randall, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representatives Charette, Eikenberry, May, Peterson, Charnley, Lee, Hanna, Tilly and Eng to page 26 failed to pass the House.

Representatives Randall and Charette spoke in favor of the motion and it was carried.

## ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Charette and others to page 26, line 20 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 48; nays, 44; not voting, 6.

Voting yea: Representatives Becker, Berentson, Boldt, Brown, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Hanna, Hansey, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Luders, Maxie, May, McCormick, Moon, Moreau, Nelson, O'Brien, Pardini, Peterson, Savage, Schumaker, Sherman, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Bond, Ceccarelli, Chatalas, Curtis, Deccio, Douthwaite, Dunlap, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Knowles, Kuehnle, Leckenby, Matthews, McKibbin, Newhouse, North, Paris, Patterson, Polk, Randall, Seeberger, Shinpoch, Smith R., Whiteside, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Martinis, Parker, Perry.

## STATEMENT FOR THE JOURNAL

Please record my vote as "No" on the Charette amendment to page 26, line 20 of Substitute House Bill No. 866.

GARY A. NELSON, 21st District.

Representative Martinis appeared at the bar of the House.

Mr. O'Brien resumed the Chair.

## MOTION FOR RECONSIDERATION

Mr. Thompson, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representatives Gaspard, Ehlers, Erickson, Adams, Wojahn, Gallagher, Parker, Hanna and Hawkins to page 10, line 4 failed to pass the House.

Representatives Thompson and Gaspard spoke in favor of the motion, and Representatives Newhouse and Eikenberry spoke against it.

## POINT OF INQUIRY

Mr. Gaspard yielded to question by Mr. Haley.

Mr. Haley: "Whose fault was it in the first place? Where did the error come from that this occurred? Was it Pierce County's fault or was it the state's fault?"

Mr. Gaspard: "I don't think it's that simple because I don't think it's anybody's fault. I tried to point out to you that after the reevaluation process took place the legislature came back in 1971 and passed a roll-back provision. Now that passed in May of 1971 and it started to take effect on taxes payable in 1972. The citizens took it to court and said it should apply to taxes payable in 1971; the court said yes. That's where the problem has occurred. I don't think the fault is anybody's; it's just that somewhere in the governmental system there was a crack and this group of Pierce County taxpayers fell into it."

Mr. Newhouse spoke against the motion to reconsider.

## POINT OF INQUIRY

Mr. Gaspard yielded to question by Mr. Patterson.

Mr. Patterson: "I understand from the discussion that there are 16 other counties where this same situation took place. May I add that if the legislature picks up the tab for Pierce County, does that open the gate for the other 16 to come to the state of Washington and ask for the same thing to apply to them?"

Mr. Gaspard: "No, Representative Patterson, because the way this amendment is drawn it only applies to the Valentine vs. Johnston case and that was the case brought in and won in Pierce County. I might also point out that it gives a statute of limitations procedure."

Mr. Patterson: "What's the statute of limitations on this?"

Mr. Gaspard: "I'm not sure that I can answer that. One of the attorneys in the House would have to answer it."

## ROLL CALL

The Clerk called the roll on the motion to reconsider the amendment by Representative Gaspard and others to page 10, line 4 of Substitute House Bill No. 866, and the motion was carried by the following vote: Yeas, 50; nays, 43; not voting, 5.

Voting yea: Representatives Bauer, Bausch, Becker, Boldt, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Martinis, Maxie, May, McCormick, McKibbin, Moon, O'Brien, Randall, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Hurley M., Kuehnle, Leckenby, Luders, Matthews, Moreau, Nelson, Newhouse, North, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Shipoch, Tilly, Valle, Whiteside, Wilson.

Not voting: Representatives Adams, Lee, Lysen, Parker, Perry.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the vote by which the Gaspard amendment failed to pass the House.

Representative Erickson spoke in favor of the amendment, and Representatives Newhouse, Eikenberry, Hurley (Margaret) and Charette spoke against it.

Mr. Pardini demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Gaspard and others to page 10, line 4 of Substitute House Bill No. 866, and the amendment was not adopted, by the following vote: Yeas, 46; nays, 47; not voting, 5.

Voting yea: Representatives Bauer, Bausch, Becker, Boldt, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Martinis, Maxie, McCormick, McKibbin, Moon, O'Brien, Savage, Seeberger, Sherman, Smith E. P., Smith R., Thompson, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Hurley M., Kuehnle, Leckenby, Luders, Matthews, May, Moreau, Nelson, Newhouse, North, Pardini, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Shipoch, Sommers, Tilly, Valle, Whiteside, Williams, Wilson.

Not voting: Representatives Adams, Lee, Lysen, Parker, Perry.

Mr. Brown moved adoption of the following amendment by Representatives Brown and Hawkins:

On page 27, line 1 strike the remainder of the section and insert a new subsection as follows:

"(3) Library development program: PROVIDED, That \$3,100,000 of this amount shall be allotted to library districts for loss of local property tax revenues due to SJR 1, court decisions, or 106% tax limitation: PROVIDED FURTHER, That \$50,000 be allotted to conduct a comprehensive study of the feasibility and alternatives to a library materials central storage facility for both public and academic libraries and that this study will be coordinated by the State Library and representatives of public libraries, college and university libraries, community college libraries, public school libraries, and other interested parties shall

participate in the study committee and that the final report shall be submitted by July 1, 1976.

General Fund Appropriation: PROVIDED, That \$3,935,943 is from state funds and \$250,000 is from federal funds ..... \$4,185,943"

Mr. Brown spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Hansey.

Mr. Hansey: "The way this amendment is drafted, it's a little bit difficult to get the full fiscal significance of it. Could you tell us just in straight dollars how much does this amendment add to the budget?"

Mr. Brown: "This amendment proposes to add about \$3.2 million to the budget."

Mr. Shinpoch spoke in opposition to the amendment.

Mr. Moon demanded an electric roll call and the demand was sustained.

Representatives Brown and Erickson spoke in favor of the amendment, and Mrs. North spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Brown and Hawkins to page 27, line 1 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 43; nays, 50; not voting, 5.

Voting yea: Representatives Amen, Boldt, Brown, Chandler, Charnley, Clemente, Cochrane, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Freeman, Gaspard, Gilleland, Greengo, Hanna, Hansen, Haussler, Hawkins, Hayner, Hurley G. S., Jueling, Kalich, Kilbury, King, Laughlin, Matthews, Maxie, Moon, Nelson, Pardini, Paris, Patterson, Peterson, Polk, Savage, Sherman, Smith E. P., Valle, Williams, Zimmerman.

Voting nay: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Bond, Ceccarelli, Charette, Chatalas, Conner, Curtis, Deccio, Eikenberry, Flanagan, Fortson, Gaines, Gallagher, Haley, Hansey, Hendricks, Hurley M., Jastad, Knowles, Kuehnle, Leckenby, Luders, Martinis, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Randall, Schumaker, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Parker, Perry.

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman and Laughlin:

On page 26, line 33 after "Appropriation" strike the remainder of the section and insert:

"(3) Library development program: PROVIDED, That \$3,100,000 of this amount shall be allotted to library districts for loss of local property tax revenues due to SJR 1, court decisions, or 106% tax limitation:

General Fund Appropriation: PROVIDED, That \$3,885,943 is from state funds and \$250,000 is from federal funds ..... \$4,135,943"

Mr. Zimmerman spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment was not adopted.

Mr. Brown moved adoption of the following amendment by Representatives Brown and Hawkins:

On page 27, line 1 strike the remainder of the section and insert a new subsection as follows:

"(4) Technical services program: PROVIDED, That \$6,639,696 shall be used for final development and operations of a computerized cataloging, acquisition, and circulation network system for local libraries and academic libraries at community colleges and state colleges and universities: PROVIDED FURTHER, That all systems being developed and implemented must have the approval of the director of the State Data Processing Authority before any work is commenced. Of the appropriation contained in this subsection, not less than \$1,600,000 shall be expended for development and retrospective conversion costs for the University of Washington and Washington State University.

General Fund Appropriation: PROVIDED, That \$710,000 is from private sources and \$8,140,453 is from state funds ..... \$8,850,453"

Mr. Brown spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

Mr. King demanded an electric roll call and the demand was sustained.



ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Brown and Hawkins to page 27, line 1 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 34; nays, 59; not voting, 5.

Voting yea: Representatives Amen, Blair, Brown, Chandler, Charnley, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Fischer, Freeman, Gilleland, Greengo, Hanna, Haussler, Hawkins, Hurley G. S., Jueling, Kilbury, King, Laughlin, Matthews, Moon, Pardini, Paris, Patterson, Peterson, Polk, Savage, Sherman, Valle, Williams, Zimmerman.

Voting nay: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Ceccarelli, Charette, Chatalas, Clemente, Conner, Deccio, Eikenberry, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Kalich, Knowles, Kuehnle, Leckenby, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Randall, Schumaker, Seeberger, Shipchock, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Parker, Perry.

STATEMENT FOR THE JOURNAL

Let the record show that I voted or intended to vote "Yea" on the amendment to Substitute House Bill No. 866 regarding \$8,850,453 for state network.

JAMES M. BOLDT, 8th District.

Mr. Curtis moved adoption of the following amendment by Representatives Bagnariol and Curtis:

On page 27 strike lines 7 through 9 and insert:

"General Fund Appropriation: PROVIDED, That \$326,048 is from state funds and \$250,000 is from federal funds ..... \$576,048"

Representatives Curtis and Bagnariol spoke in favor of the amendment, and it was adopted.

On motion of Mr. Bagnariol, the following amendment by Representatives Bagnariol, Shipchock, Seeberger, North, Fortson, Sherman, Valle and Haussler was adopted:

On page 28, strike lines 19 through 21 and insert the following:

"General Fund Appropriation: PROVIDED, That \$1,710,135 is from state funds and \$20,364,929 is from federal funds ..... \$22,075,064"

Mr. Smith (Rick) moved adoption of the following amendment by Representatives Smith (Rick), Perry, Fortson, Valle, Hansey and Douthwaite:

On page 28, after line 21 insert the following:

"NEW SECTION, Sec. 66. For the Oceanographic Commission

General Fund Appropriation ..... \$191,258"  
 Reumber the remaining sections consecutively.

Mr. Smith (Rick) spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Smith (Rick) yielded to question by Mr. Polk.

Mr. Polk: "Is the Oceanographic Commission a statutory commission that's not being funded in this budget?"

Mr. Smith (Rick): "It certainly is a statutory commission. It is and so is the Institute and I'm not at all sure that the Institute would be able to function without the Commission."

Mrs. Fortson spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Pardini demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Rick) and others to page 28, line 21 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; not voting, 5.

Voting yea: Representatives Becker, Boldt, Ceccarelli, Chandler, Charnley, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Hanna, Hansen, Hansey, Hawkins, Hurley G. S., Kilbury, King, Maxie, McKibbin, Moon, Moreau, Pardini, Peterson, Randall, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Tilly, Valle, Williams, Wilson, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bond, Brown, Charette, Chatalas, Curtis, Deccio, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland,

Greengo, Haley, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, North, O'Brien, Paris, Patterson, Polk, Schumaker, Shinpoch, Thompson, Warnke, Whiteside, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Parker, Perry.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey, Smith (Rick) and Fortson:

On page 28, line 21 after "21,733,084" insert a new section as follows:

"NEW SECTION. Sec. 66. For the Oceanographic Commission

General Fund Appropriation: PROVIDED, That the appropriation contained in

this section shall be entirely expended in fiscal year 1976 ..... \$ 95,070"

Renumber the remaining sections consecutively.

Mr. Hansey spoke in favor of the amendment, and Mrs. North spoke against it.

The amendment was not adopted.

The Speaker resumed the Chair.

Mr. Bagnariol moved adoption of the following amendment:

On page 29, line 21 strike "\$14,241,672" and insert "\$14,472,982"

#### POINT OF ORDER

Mr. Newhouse: "We have an amendment by Representative Hansey changing that same figure."

The Speaker: "That's correct, but it's for a lesser amount and we take the larger figure first."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bagnariol to page 29, line 21 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 59; nays, 34; not voting, 5.

Voting yea: Representatives Bagnariol, Bausch, Becker, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Zimmerman.

Voting nay: Representatives Amen, Barnes, Bauer, Bender, Berentson, Bond, Brown, Curtis, Deccio, Dunlap, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Haley, Hansey, Hayner, Jueling, Kuehnle, Leckenby, Matthews, McCormick, Nelson, Newhouse, Paris, Patterson, Peterson, Polk, Schumaker, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Parker, Perry.

Mr. Bagnariol moved adoption of the following amendment:

On page 29, line 22 strike "\$19,446,722" and insert "\$19,678,032"

Mr. Bagnariol spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bagnariol to page 29, line 22 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 63; nays, 30; not voting, 5.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Eng, Fischer, Fortson, Gaines, Gallagher, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Patterson, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Zimmerman.

Voting nay: Representatives Amen, Barnes, Bond, Chandler, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Haley, Hayner, Hendricks, Jueling, Kuehnle, Matthews, Nelson, Newhouse, Paris, Schumaker, Tilly, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Parker, Perry.

Mr. Dunlap moved moved adoption of the following amendment:

On page 29, line 5 after "subsection" strike "not less than \$38,620" and insert "the sum of not less than \$35,000 and not more than \$40,000"

Representatives Dunlap and Shinpoch spoke in favor of the amendment, and it was adopted.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey and Leckenby:

On page 29 strike lines 4 through 10

Representatives Hansey and Leckenby spoke in favor of the amendment, and Representatives Douthwaite, Luders and Conner spoke against it.

Mr. Luders demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hansey and Leckenby to page 29, lines 4-10 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 17; nays, 76; not voting, 5.

Voting yea: Representatives Berentson, Dunlap, Flanagan, Freeman, Gilleland, Haley, Hansey, Kuehne, Laughlin, Leckenby, Matthews, Newhouse, Patterson, Schumaker, Tilly, Whiteside, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charney, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Adams, Lee, Lysen, Parker, Perry.

#### STATEMENTS FOR THE JOURNAL

I wish my vote to be recorded as "Nay" on the Hansey/Leckenby amendment to page 29.

RON DUNLAP, 41st District.

I voted in error on the Hansey/Leckenby amendment on page 29 of Substitute House Bill No. 866. My vote should have been "Nay."

KEMPER FREEMAN, 48th District.

On motion of Mr. Bagnariol the following amendments by Representatives Bagnariol and Newhouse were adopted:

Beginning on page 29, line 32 strike all of subsection (7) and renumber the remaining subsections consecutively.

Beginning on page 30, line 2 strike all of subsection (8) and renumber the remaining subsections consecutively.

Mr. Shinpoch moved adoption of the following amendment:

On page 30, lines 14 and 19, strike "section" and insert "subsection"

The amendment was not adopted.

#### MOTION FOR RECONSIDERATION

Mr. Polk, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Shinpoch to page 30 was not adopted.

The motion was carried.

The amendment was reconsidered and adopted.

Mr. Curtis moved adoption of the following amendment:

On page 32, line 18 after "the" strike the remainder of the line and insert "Columbia River."

Mr. Curtis spoke in favor of the amendment, and Representatives Whiteside and Seeberger spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Curtis to page 32, line 18 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 33; nays, 60; not voting, 5.

Voting yea: Representatives Amen, Berentson, Blair, Bond, Brown, Curtis, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Juelling,

Kuehnle, Leckenby, Matthews, Nelson, Pardini, Paris, Patterson, Polk, Savage, Schumaker, Sommers, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gaspard, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Peterson, Randall, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Parker, Perry.

Mr. Barnes moved adoption of the following amendment:

On page 32, line 14 strike all of subsection (3) and renumber the remaining subsections consecutively.

Mr. Barnes spoke in favor of the amendment, and Mr. Seeberger spoke in opposition to it.

The amendment was not adopted.

Representative Parker appeared at the bar of the House.

Mr. Shinpoch moved adoption of the following amendment:

On page 32, strike lines 27 through 33 and insert the following:

"(a) Manchester, by the expenditure of not more than \$30,073;

(b) Fort Ebey, by the expenditure of not more than \$33,042;

(c) Elbow Lake, by the expenditure of not more than \$22,226;

(d) Crow Butte, by the expenditure of not more than \$152,350;

General Fund Appropriation ..... \$11,633,171"

Mr. Shinpoch spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Shinpoch to page 32, lines 27 through 33 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 69; nays, 25; not voting, 4.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Eikenberry, Eng, Fischer, Fortson, Gaines, Gallagher, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Barnes, Bond, Deccio, Dunlap, Ehlers, Erickson, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Hanna, Hawkins, Jueling, Kuehnle, Matthews, Nelson, Newhouse, Polk, Schumaker, Smith R., Warnke, Wilson, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Perry.

Mr. Bagnariol moved adoption of the following amendment:

On page 33, line 23 strike "\$15,255,853" and insert "\$15,437,353" and on line 25 strike "\$20,339,436" and insert "\$20,520,936"

Mr. Bagnariol spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bagnariol to page 33, line 23 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 77; nays, 17; not voting, 4.

Voting yea: Representatives Amen, Bagnariol, Bauer, Bausch, Becker, Berentson, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Eikenberry, Eng, Fischer, Flanagan, Fortson, Gaines, Gallagher, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Barnes, Bender, Bond, Brown, Dunlap, Ehlers, Erickson, Freeman, Gaspard, Gilleland, Hawkins, Kuehnle, Leckenby, Patterson, Polk, Schumaker, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Perry.

Mr. Bagnariol moved adoption of the following amendment:

On page 35, line 25 strike "\$283,344" and insert "\$585,465"

Mr. Bagnariol spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Newhouse.

Mr. Newhouse: "Should this come out of the General Fund? Shouldn't this be out of their management account?"

Mr. Bagnariol: "I believe the way it is written now it comes out of the General Fund."

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Pardini.

Mr. Pardini: "We have had a series of technical amendments and there seems to be a few more. Can you give us a running total of what we have approved or disapproved on technical changes?"

Mr. Bagnariol: "I don't have that figure, but I'll be glad to give it to you once we are through the amendments."

Mr. Pardini: "But it might affect some of the amendments now."

Mr. Bagnariol: "I don't think so."

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bagnariol to page 35, line 25 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 58; nays, 36; not voting, 4.

Voting yea: Representatives Bagnariol, Bausch, Becker, Berentson, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Deccio, Douthwaite, Fischer, Flanagan, Fortson, Gallagher, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Leckenby, Luders, Martinis, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Barnes, Bauer, Bender, Blair, Bond, Brown, Chandler, Cochrane, Curtis, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Hawkins, Hendricks, Kuehnle, Laughlin, Matthews, Maxie, Nelson, Newhouse, Pardini, Patterson, Polk, Schumaker, Tilly, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Perry.

On motion of Mr. Bagnariol, the following amendment was adopted:  
On page 35, line 32 strike "\$2,287,612" and insert "\$2,107,612"

On motion of Mr. Shinpoch, the following amendment was adopted:  
On page 37, line 28 strike "\$166,082" and insert "\$166,820"

Mr. Shinpoch moved adoption of the following amendment:  
On page 38, line 13 strike "847,692" and insert "870,045"

Mr. Shinpoch spoke in favor of adoption of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Shinpoch to page 38, line 13 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 78; nays, 16; not voting, 4.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bausch, Becker, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Gaines, Gallagher, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Leckenby, Luders, Martinis, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bauer, Bender, Brown, Ehlers, Eng, Erickson, Freeman, Gaspard, Gilleland, Laughlin, Matthews, Maxie, Schumaker, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Perry.

Mr. Kilbury moved adoption of the following amendment:

On page 39, line 8 strike all material down to and including line 10 and insert:

"(b) General Fund Appropriation: For the department's one-third share for completion of a special program in the several county noxious weed control boards directed towards the eradication of the noxious weed tansy ragwort, each county noxious weed board and individual land owner to provide their equal

one-third share: PROVIDED, That no county noxious weed board or individual land owner shall be eligible for such one-third state share unless it has developed a range management program approved by the department in cooperation with the appropriate local or other agency responsible for soil conservation: PROVIDED FURTHER, That \$67,596 of this appropriation be used in cooperation with WSU for research into the poisonous properties of tansy ragwort (Senecio-Jaco baea): PROVIDED FURTHER, That \$37,740 of this appropriation be used to support a noxious weed coordinator for the duration of the special program ..... \$280,336"

Mr. Kilbury spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kilbury to page 39, line 8 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 76; nays, 18; not voting, 4.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bausch, Becker, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Patterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Bender, Berentson, Blair, Brown, Douthwaite, Eng, Haley, Hansey, Hendricks, Juelling, Leckenby, Maxie, Nelson, Newhouse, Pardini, Paris, Peterson.

Not voting: Representatives Adams, Lee, Lysen, Perry.

Mr. Patterson moved adoption of the following amendment by Representatives Patterson, Randall, Bender and Tilly:

On page 39, line 29 after "Appropriation" strike "\$45,039,444" and insert "\$43,715,372"

Representatives Patterson and Newhouse spoke in favor of the amendment, and Representatives Hansen and Martinis spoke against it.

MOTION

On motion of Mr. Charette, Representative Savage was excused from the Call of the House.

The amendment by Representative Patterson and others was adopted.

Mr. Hansey moved adoption of the following amendment:

On page 40, line 28 after "810,138" insert:

"General Fund - Aeronautics Account Appropriation:

For the state grant program: PROVIDED, That these grants are matched by non-state funds upon such ratio as the Washington State Aeronautics Commission may prescribe: PROVIDED FURTHER, That such airport projects shall conform to the Washington State Airport System Plan as now or hereafter amended by the Commission or its statutory successor: PROVIDED FURTHER, That funds available for application for such purposes shall be released for distribution to such airport projects upon prior approval by the Office of Program Planning and Fiscal Management based upon documented plans and priorities as determined by the Commission ..... \$231,519"

Mr. Hansey spoke in favor of the amendment, and Mrs. North spoke against it.

Mr. Hansey spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hansey to page 40, line 28 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 26; nays, 67; not voting, 5.

Voting yea: Representatives Barnes, Berentson, Bond, Chandler, Conner, Curtis, Dunlap, Eikenberry, Freeman, Gilleland, Greengo, Haley, Hansey, Hendricks, Kuehnle, Leckenby, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Schumaker, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Peterson, Randall, Seeberger,

Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Perry, Savage.

MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representatives Patterson, Randall, Bender and Tilly to page 39, line 29 was adopted.

Mr. King spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion for reconsideration of the vote by which the amendment by Representative Patterson and others was adopted, and the motion was not carried by the following vote: Yeas, 44; nays, 49; not voting, 5.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Becker, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Ehlers, Eng, Fischer, Fortson, Gaspard, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Leckenby, Martinis, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Seeberger, Shinpoch, Smith E. P., Smith R., Thompson, Valle, Williams, Wojahn.

Voting nay: Representatives Amen, Barnes, Bender, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Jueling, Knowles, Kuehnle, Luders, Matthews, Maxie, May, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Randall, Schumaker, Sherman, Sommers, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, Perry, Savage.

On motion of Mr. Charette, Representative McCormick was excused from the Call of the House.

Mr. Shinpoch moved adoption of the following amendment by Representatives Shinpoch and Bagnariol:

On page 41, after line 36 insert the following:

"General Fund Appropriation: For transfer to the General Fund-Public Facilities Construction Loan and Grant Revolving Account on or before June 30, 1977 as required to meet obligations: PROVIDED, That notwithstanding the provisions of chapter 43.31A RCW, of such amounts transferred \$1,568,691 shall be allocated to the Planning and Community Affairs Agency to be used exclusively for continuation of the Indian Economic and Employment Assistance Program for projects requested by reservation tribes through the Program Administrator..... \$1,568,691"

Mr. Shinpoch spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Shinpoch and Bagnariol to page 41, line 36 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 74; nays, 18; not voting, 6.

Voting yea: Representatives Amen, Bagnariol, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Leckenby, Luders, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Randall, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Bond, Deccio, Dunlap, Eng, Flanagan, Freeman, Gilleland, Hurley M., Jueling, Kuehnle, Laughlin, Matthews, Nelson, Newhouse, Polk, Schumaker.

Not voting: Representatives Adams, Lee, Lysen, McCormick, Perry, Savage.

On motion of Mr. Bagnariol, the following amendment by Representatives Bagnariol and Shinpoch was adopted:

On page 42, section 86, line 2 after "Washington" insert "...For the Separately Budgeted Research Program"

Mr. Bagnariol moved adoption of the following amendments:

On page 42, line 30 strike "966,000" and insert "594,000"

On page 42, line 32 strike "644,000" and insert "396,000"

On page 42, line 33 strike "1,610,000" and insert "990,000"

Mr. Bagnariol spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Curtis.

Mr. Curtis: "In the terms of those items being deleted you listed \$125,000 to provide public service television coverage to the session; is it your intention or the intention here that some independent or separate method be arrived at with the public TV situation?"

Mr. Bagnariol: "I don't think we considered that at all, Representative Curtis. It's just a straight deletion of that amount."

The amendments were adopted.

Mr. Curtis moved adoption of the following amendment:

On page 42, line 15 strike all of section 87 and renumber the remaining sections consecutively.

Mr. Curtis spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Curtis spoke again in favor of adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Curtis to page 42, line 15 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 34; nays, 58; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Jueling, Kuehnle, Leckenby, Matthews, Moon, Nelson, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McKibbin, Moreau, Newhouse, North, O'Brien, Parker, Randall, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, McCormick, Perry, Savage.

#### MOTION FOR RECONSIDERATION

Mr. Thompson, having voted on the prevailing side, moved that the House do reconsider the vote by which the amendment by Representatives Smith (Rick), Perry, Fortson, Hansey, Douthwaite and Valle to page 28, line 21 was not adopted.

Mr. Thompson spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Newhouse.

Mr. Newhouse: "You seem to be rather easily convinced, Representative Thompson; were you convinced of the \$191,000 amendment or the \$95,000 amendment?"

Mr. Thompson: "I'm asking for reconsideration of the larger amount which I think is embodied in the Smith amendment."

#### POINT OF ORDER

Mr. Gallagher: "That larger amount was reconsidered once already and failed."

#### SPEAKER'S RULING

The Speaker: "Representative Gallagher, we are not able to determine where we have voted twice on that amount. We have no record of a reconsideration."

#### POINT OF ORDER

Mr. Newhouse: "We have had action taken in consequence of the failure of the Smith amendment because the Hansey amendment, being a smaller amount, was considered second and was taken in consequence of the amendment by Mr. Smith being defeated."

#### SPEAKER'S RULING

The Speaker: "Representative Newhouse, in regard to your point of order, the Speaker rules that the Hansey amendment dealt with a different subject matter—it dealt with a two-



year appropriation. This is cutting down and limiting it to a one-year study and therefore there was not an action in consequence of the Smith amendment."

Mr. Newhouse: "The other point is that if the Smith amendment had been adopted, Mr. Hansey would have withdrawn his amendment; therefore an action was taken in consequence of it."

The Speaker: "That didn't happen, Representative Newhouse, so I think the motion to reconsider would be in order at this time."

Mr. Smith (Rick) spoke in favor of the motion to reconsider and Mr. Berentson spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the amendment by Representative Smith (Rick) and others to page 28, line 21 of Substitute House Bill No. 866 was not adopted, and the motion was carried by the following vote: Yeas, 48; nays, 44; not voting, 6.

Voting yea: Representatives Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charney, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Greengo, Hanna, Hansen, Hawkins, Hurley G. S., Kalich, Kilbury, King, Laughlin, Luders, Martinis, Matthews, Moon, Moreau, Parker, Peterson, Randall, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Berentson, Bond, Chandler, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Haley, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Knowles, Kuehnle, Leckenby, Maxie, May, McKibbin, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Schumaker, Seeberger, Shipoch, Tilly, Whiteside, Wilson.

Not voting: Representatives Adams, Lee, Lysen, McCormick, Perry, Savage.

The Speaker stated the question before the House to be reconsideration of the amendment by Representative Smith (Rick) and others to page 28, line 21.

Mr. Smith (Rick) spoke in favor of the amendment.

Mr. Newhouse demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Smith (Rick) and others to page 28, line 21 of Substitute House Bill No. 866, and the amendment was adopted by the following vote: Yeas, 51; nays, 41; not voting, 6.

Voting yea: Representatives Bauer, Bausch, Becker, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charney, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Luders, Martinis, Matthews, Maxie, Moon, Moreau, O'Brien, Parker, Peterson, Randall, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bender, Berentson, Bond, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Haley, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Knowles, Kuehnle, Leckenby, May, McKibbin, Nelson, Newhouse, North, Pardini, Paris, Patterson, Polk, Schumaker, Seeberger, Shipoch, Tilly, Whiteside, Wilson.

Not voting: Representatives Adams, Lee, Lysen, McCormick, Perry, Savage.

On motion of Mr. Shipoch, the following amendment was adopted:

On page 43, strike all of subsection (2) and insert a new subsection as follows:  
 "(2) General Fund Appropriation: Surveys and installations for allocation to state agencies upon approval of the legislative budget committee to be used to increase the economy and effectiveness of state governmental operations ..... \$700,000"

Mr. Bausch moved adoption of the following amendment:

On page 43, line 26 strike all the material after "adjustments" and insert "as determined by the legislature during any extraordinary session of the 44th legislature."

Representatives Bausch and Hendricks spoke in favor of the amendment.

The amendment was not adopted.

Mr. Bausch moved adoption of the following amendment by Representatives Bausch and Hendricks:

On page 43, line 23 beginning with "There" strike all language down to and including "legislature" on line 27 and insert the following:

"For the Governor - Special Appropriations

(1) The appropriation contained in this subsection shall be expended for providing salary increases of \$75 per month effective July 1, 1975 to state classified and higher education classified employees, state employees exempt from the classified service, faculty and exempt employees of the 4-year units of higher education and the community college system, excluding student employees not under the jurisdiction of the state personnel board or higher education personnel board classification systems and commissioned members of the Washington State Patrol: PROVIDED, That each employee in range 13 and below under the 1974 state personnel board classifications as of March 1, 1975 and for each employee in range 21 and below under the 1974 higher education personnel board classifications as of March 1, 1975 shall receive salary increases of \$60 per month effective July 1, 1975.

General Fund Appropriation: PROVIDED, That \$62,340,178 is from state funds and \$8,909,196 is from federal funds ..... \$71,249,374

(2) The appropriation contained in this subsection shall be expended for providing salary increases of \$75 per month effective July 1, 1975 to state classified and higher education classified employees, state employees exempt from the classified service, faculty and exempt employees of the 4-year units of higher education and the community college system, excluding student employees not under the jurisdiction of the state personnel board or higher education personnel board classification systems and commissioned members of the Washington State Patrol: PROVIDED, That each employee in range 13 and below under the 1974 state personnel board classifications as of March 1, 1975 and for each employee in range 21 and below under the 1974 higher education personnel board classifications as of March 1, 1975 shall receive salary increases of \$60 per month effective July 1, 1975.

Special Fund Salary Increase Revolving Fund Appropriation ..... \$27,157,312"

Representatives Bausch and Hendricks spoke in favor of the amendment.

The amendment was not adopted.

Mr. Polk moved adoption of the following amendment:

On page 43 strike all material on line 23 through 27.

Mr. Polk spoke in favor of the amendment, and Mr. Bausch spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to page 43, lines 23 to 27 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 28; nays, 64; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Curtis, Deccio, Dunlap, Eikenberry, Eng, Freeman, Gilleland, Greengo, Hansey, Hayner, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Douthwaite, Ehlers, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Randall, Seeburger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, McCormick, Perry, Savage.

Representative Perry appeared at the bar of the House.

Mr. Bausch moved adoption of the following amendment by Representatives Bausch and Hendricks:

On page 43, line 28 insert the following:

"NEW SECTION. Sec. 91. For the Governor - Special Appropriations

(1) The appropriation contained in this subsection shall be expended for providing \$10 per month increases in insurance contributions effective November 1, 1975 to state classified and higher education classified employees, state employees exempt from the classified service, faculty and exempt employees of the 4-year units of higher education and the community college system, excluding student employees not under the jurisdiction of the state personnel board or higher education personnel board classification systems and commissioned members of the Washington State Patrol.

General Fund Appropriation: PROVIDED, That \$6,320,000 is from state funds and \$908,000 is from federal funds ..... \$7,228,000

- (2) The appropriation contained in this subsection shall be expended for providing \$10 per month increases in insurance contributions effective November 1, 1975 to state classified and higher education classified employees, state employees exempt from the classified service, faculty and exempt employees of the 4-year units of higher education and the community college system, excluding student employees not under the jurisdiction of the state personnel board or higher education personnel board classification systems and commissioned members of the Washington State Patrol.

Special Fund Insurance Benefit Revolving Fund Appropriation . . . . . \$2,766,000"  
 Renumber the following sections consecutively.

Mr. Bausch spoke in favor of the amendment.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Are we considering only the \$7 million or are we considering the entire amendment?"

The Speaker: "We are considering the entire \$10 million."

Mr. Hendricks spoke in favor of adoption of the amendment.

Mr. Bausch demanded an electric roll call and the demand was sustained.

Mr. Pardini spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bausch and Hendricks to page 43, line 28 of Substitute House Bill No. 866, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; not voting, 5.

Voting yea: Representatives Barnes, Bausch, Bender, Berentson, Blair, Boldt, Brown, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Ehlers, Eikenberry, Erickson, Fischer, Gallagher, Greengo, Haley, Hanna, Hansey, Haussier, Hawkins, Hendricks, Hurley G. S., Matthews, May, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Sherman, Smith R., Tilly, Warnke.

Voting nay: Representatives Amen, Bagnariol, Bauer, Becker, Bond, Ceccarelli, Charette, Deccio, Douthwaite, Dunlap, Eng, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Hansen, Hayner, Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnie, Laughlin, Leckenby, Luders, Martinis, Maxie, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randali, Schumaker, Seeberger, Shipoch, Smith E. P., Sommers, Thompson, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Lee, Lysen, McCormick, Savage.

Mr. Parker moved adoption of the following amendment by Representatives Parker, Gaspard, Erickson, Ehlers, Gallagher, Hanna, Hawkins, Douthwaite and Wojahn:

On page 43, following line 34 insert the following:

"NEW SECTION. Sec. 92. For the department of revenue general fund appropriation: To appropriate moneys to the operating funds of local taxing districts within Pierce County as supplemental assistance for the reimbursement of such moneys as may be expended during the fiscal years 1975 and 1976 for the purpose of refunding the state share of regular real property taxes in the amount of \$987,988, which were collected prior to the decision in Valentine v. Johnston, 83 Wn. 2d 390 (1974), plus \$355,764 as interest from the date of collection of such taxes: PROVIDED, That it is the intent of the legislature that this appropriation is remedial and procedural because of the unique circumstances arising from the retroactive application of RCW 84.48.085, notwithstanding any order of the state department of revenue to the contrary: AND PROVIDED FURTHER, That \$2,000,000 within the general fund is hereby placed in reserve, expenditures from which shall be contingent upon future court decisions requiring property tax rollbacks and refunds . . . . . \$3,343,772"  
 Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Newhouse: "I would think this amendment is out of order as it is the same one we considered previously and it was lost."

Mr. Parker: "Mr. Speaker, Reed's Rule 136 says, 'If an amendment is decided in the negative, it cannot be repeated, although it may again be proposed to insert the same words with others,' I would say that the additional appropriation is more substantive than the first, so therefore the second should carry with it and be able to carry the language of the first amendment."

SPEAKER'S RULING

The Speaker: "If you'll read the next sentence, Representative Parker, it says, 'Part of the same words cannot be again proposed to be inserted, not only because the assembly has decided against it, but because that object might have been attained by an amendment to the amendment, and since it was not so attained the assembly is presumed to have decided against it specifically.'"

Mr. Parker: "Well, Mr. Speaker, I say it's not the same words because of the second words that are with it. The exact same amendment again would be out of order, but this is not the same amendment since it has the second language added to it. It's the same words with other words."

The Speaker: "But it says in the first part of that sentence that part of the same words cannot be again proposed to be inserted. Your amendment is out of order."

Mr. Newhouse moved adoption of the following amendment:  
On page 43, line 1 strike all of subsection (2).

Mr. Newhouse spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment was not adopted.

On motion of Mr. Bagnariol, the following amendments were adopted:  
On page 12, line 7 strike "326" and insert "358"  
On page 12, line 17 strike "28,790,049" and insert "29,550,549"

Substitute House Bill No. 866 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 206, by Representatives Bagnariol, Flanagan, Shinpoch and Pardini (by Executive request):

Adopting the capital budget.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 206 was substituted for House Bill No. 206, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 206 was read the second time.

MOTION

Mr. Charette moved that Representatives Sommers and Blair be excused from the Call of the House.

Mr. Newhouse moved that the motion be amended to include Representative Amen.

The motion as amended was carried.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Charette, Representative Chatalas was excused from the Call of the House.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SUBSTITUTE HOUSE BILL NO. 87,  
SUBSTITUTE HOUSE BILL NO. 208.

MOTION

On motion of Mr. Charette, Representatives Moon, Haussler, Kuehnle and Bond were excused from the Call of the House.

The House resumed consideration of Substitute House Bill No. 206 on second reading.

On motion of Mr. Shinpoch, the following amendments by Representatives Shinpoch and Curtis were adopted:

On page 7, strike all material beginning on line 16 down to and including line 17 and insert:  
"Seattle Armory Fund ..... \$30,200"

On page 23, line 27 strike "501,500" and insert "497,000"

On page 23, line 31 strike "475,974" and insert "480,474"

On page 24, line 31 after "recreation," strike "3,205,500" and insert "3,405,500"

On page 24, line 32 insert "758,000"

On page 24, line 36 strike "1,280,000" and insert "1,550,000"

On page 26, line 33 strike "246,900" and insert "264,900"

On page 31, section 13, after subsection (10) insert the following new subsection:

"(11) Completion of working drawings for classroom laboratories and offices for Veterinary Sciences as well as laboratories for State Animal Diagnostic Center

Washington State University

Building Account ..... \$82,000"

On page 41, section 20, line 28 strike "and"

Mr. Leckenby moved adoption of the following amendment by Representatives Leckenby and Peterson:

On page 3, line 2 strike all of subsection (1) and renumber the remaining subsections consecutively.

Representatives Leckenby, Deccio, Randall and Haley spoke in favor of the amendment, and Representatives Bagnariol and O'Brien spoke against it.

Mr. Conner demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Leckenby and Peterson to page 3, line 2 of Substitute House Bill No. 206, and the amendment was not adopted by the following vote: Yeas, 41; nays, 44; not voting, 13.

Voting yea: Representatives Barnes, Bauer, Berentson, Chandler, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hawkins, Hayner, Hurley G. S., Jueling, Kalich, Laughlin, Leckenby, Matthews, Maxie, McKibbin, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Smith R., Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charney, Clemente, Conner, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hendricks, Hurley M., Jastad, Kilbury, King, Knowles, Luders, Martinis, May, Moreau, North, O'Brien, Parker, Perry, Seeberger, Sherman, Shipoch, Smith E. P., Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Amen, Blair, Bond, Chatalas, Haussler, Kuehnl, Lee, Lysen, McCormick, Moon, Savage, Sommers.

#### MOTION

On motion of Mr. Charette, Representative Becker was excused from the Call of the House.

Mr. Pardini moved adoption of the following amendment:

On page 1, line 22 after "be" strike "approved by" and insert "submitted to"

Mr. Pardini spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 7, line 5 add "\$46,000" under the General Fund Column - far right.

Mr. Barnes spoke in favor of the amendment, and Mr. Shipoch spoke against it.

The amendment was not adopted.

Mr. Pardini moved adoption of the following amendments:

On page 25, line 11 strike "(y)" and insert "(z)"

On page 25, line 12 strike "(1,953,221)" and insert "(2,007,221)"

On page 25, line 14 add a new subsection "(a) Bridge and Culvert Materials 54,000"

Renumber the remaining subsections consecutively.

Mr. Pardini spoke in favor of the amendments, and Mr. Bagnariol spoke against them.

The amendments were not adopted.

Mr. Pardini moved adoption of the following amendment:

On page 32, line 13 insert a new subsection as follows:

"Preliminary design of

plant services warehouse

Eastern Washington State

College Capital  
 Projects Account..... \$ 10,000"

Mr. Pardini spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

Mr. Pardini spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Shinpoch the following amendment was adopted:

On page 15, line 15 after "Fund" and before "500,000" strike "(c)"

On motion of Mr. Shinpoch, the following amendment by Representatives Pardini and Shinpoch was adopted:

On page 1, section 2, line 26 after "symbol (C)" and before the period insert "except that fire and safety projects and maintenance type projects may be exempted from the master plan and program plan provisions of this section when such exemptions are approved by the office of program planning and fiscal management"

Mr. Berentson moved adoption of the following amendment by Representatives Berentson and Hansey:

On page 23, after section (6) add new sections:

"(7) Land Purchase and Design

General Fund State ..... \$ 300,000

(8) Land Acquisition

General Fund State ..... \$ 141,000

(9) Release Ponds

General Fund State ..... \$1,050,000

General Fund State ..... \$ 225,000

(10) Point Whitney Shellfish

Laboratory - Clam Pond

General Fund State ..... \$ 30,000"

Re-number the remaining subsections consecutively.

On motion of Mr. Conner, the following amendment to the amendment was adopted:

Strike new subsection (10)

The Speaker stated the question before the House to be the amendment by Representatives Berentson and Hansey as amended.

Mr. Berentson spoke in favor of the amendment as amended, and Mr. Bagnariol spoke against it.

The amendment as amended was not adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Hansen:

On page 34, line 6 after "54,000" on line 5 insert a new subsection to read as follows:

"(15) Working drawings for remodeling to house theatre and drama facilities

Central Washington State College

Capital Projects Account \$127,000"

Representatives Tilly and Hansen spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

The amendment was not adopted.

Substitute House Bill No. 206 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Thompson, the House advanced to the eighth order of business.

MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 642 was rereferred from the Committee on Natural Resources to the Committee on Education.

On motion of Mr. Thompson, SENATE BILL NO. 2910 was rereferred from Committee on Transportation and Utilities to Committee on Local Government.

On motion of Mr. Curtis, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Monday, April 21, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

### THIRTY-NINTH DAY

#### MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 21, 1975.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives McCormick and North, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sonna Cook and Robert Golden. Prayer was offered by Reverend Mary Ann Swenson of Orchards United Methodist Church of Vancouver.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGES FROM THE SENATE

April 18, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2007,  
SECOND REENGROSSED SUBSTITUTE SENATE BILL NO. 2424,  
ENGROSSED SENATE BILL NO. 2499,  
SUBSTITUTE SENATE BILL NO. 2673,  
ENGROSSED SENATE BILL NO. 2829,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 18, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 377,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 18, 1975

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 28,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 29, by Representatives Bagnariol, Pardini, Newhouse, Moon and Randall:

Authorizing the committees on ways and means of the house and senate to conduct a study of the property tax system.

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 30, by Representative Charette:

Creating the legislative administrative review committee.

To Committee on Rules

ENGROSSED SUBSTITUTE SENATE BILL NO. 2007, by Committee on Judiciary (Originally sponsored by Senators Henry, Beck, Stortini, Cunningham, Benitz and Guess):

Establishing the death penalty for first degree murder.

To Committee on Judiciary



SECOND REENGROSSED SUBSTITUTE SENATE BILL NO. 2424, by Committee on Ecology (Originally sponsored by Senators Walgren, Washington and R. H. Lewis):

Coordinating public water supply system planning.

To Committee on Ecology

ENGROSSED SENATE BILL NO. 2499, by Senators Gould, Beck and Talley:

Making changes in the laws relating to commercial food fish and shellfish licenses.

To Committee on Natural Resources

SUBSTITUTE SENATE BILL NO. 2673, by Committee on Ways and Means (Originally sponsored by Senators Odegaard and Harry Lewis):

Modifying the timber reserve fund distribution for 1975 and setting the time for calculation of harvest factors.

To Committee on Ways and Means - Revenue

ENGROSSED SENATE BILL NO. 2829, by Senator Morrison:

Relating to sentencing procedures.

To Committee on Judiciary

#### REPORTS OF STANDING COMMITTEES

April 16, 1975

HOUSE BILL NO. 351, Prime Sponsor: Representative Warnke, revising the powers and duties of the department of commerce and economic development. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Bender, Hendricks, Leckenby, McKibbin, Nelson, Polk, Williams.

To Committee on Rules for second reading.

April 16, 1975

HOUSE BILL NO. 813, Prime Sponsor: Representative Sherman, providing for use of voter's pamphlets to provide information on the presidential nominating process. Reported by Committee on Constitution and Elections.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Hawkins, Knowles, Sherman.

To Committee on Rules for second reading.

Mr. Thompson demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives McCormick and North.

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Charette, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 206, by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol, Flanagan, Shinpoch and Pardini - by Executive request):

Adopting the capital budget.

The bill was read the third time and placed on final passage.

Mr. Bagnariol spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 206, and the bill passed the House by the following vote: Yeas, 56; nays, 40; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Haley, Hanna, Hansen, Haussler, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Lee, Luders, Martinis, Maxie, May, McKibbin, Moreau, O'Brien, Parker, Perry, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Hansey, Hawkins, Hayner, Kuehnle, Laughlin, Leckenby, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives McCormick, North.

Engrossed Substitute House Bill No. 206, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 862, by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol and Shipoch):

Adopting a budget for the superintendent of public instruction.

The bill was read the third time and placed on final passage.

Mr. Bagnariol spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Bagnariol, the way I understand it, there is an increase in this budget of about \$142 million for apportionment—school apportionment. According to my understanding of that, that is new money that can be used by the school districts in the next two school years either to increase salaries, reduce special levies or hire more teachers. Now I think that it was intended at first that this should be used for salary increases, but now in view of the fact that a good many special levies have failed around the state, do you think that it would be a good idea that this \$142 million be used in those school districts where special levies failed, to rehire teachers that were laid off, and in those districts where special levies passed be used to reduce special levies?"

Mr. Bagnariol: "I believe the figure is closer to about \$156 million; I guess \$149 million that we did increase the apportionment formula. That money does go out through the formula and is available to local school districts to be used for local negotiations for salaries or for special levy relief or to retain teachers. I think the decision on how that money is to be used should be left to the local school districts to decide; however, it is available and I believe the original intention for the money as it came out of the Ways and Means Committee was to have it—at least a large portion of it—available to negotiate for salaries, but if the educators and school boards at the local level agree that they would rather use it for special levies, they will have that opportunity."

Representative Moon spoke in favor of the bill, and Representatives Polk and Newhouse spoke against it.

Mr. Moon spoke again in favor of passage of the bill, and Mr. Pardini spoke in opposition to it.

Representative North appeared at the bar of the House.

Mr. Bagnariol closed debate, speaking in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 862, and the bill passed the House by the following vote: Yeas, 78; nays, 19; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis,

Deccio, Douthwaite, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gaspard, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipchock, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Dunlap, Ehlers, Eikenberry, Freeman, Gallagher, Gilleland, Hansey, Hayner, Hendricks, Kuehnle, Leckenby, Lee, Lysen, Pardini, Polk, Williams, Zimmerman.

Not voting: Representative McCormick.

Engrossed Substitute House Bill No. 862, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 863, by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol and Shipchock):**

Adopting the budget for the department of social and health services.

The bill was read the third time and placed on final passage.

Representatives Bagnariol and Parker spoke in favor of the bill, and Representatives Matthews, Deccio and Zimmerman spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 863, and the bill passed the House by the following vote: Yeas, 55; nays, 42; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gaspard, Haley, Hansen, Haussler, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Martinis, Maxie, May, McKibbin, Moreau, North, O'Brien, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipchock, Smith E. P., Smith R., Sommers, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Boldt, Bond, Brown, Chandler, Conner, Deccio, Douthwaite, Dunlap, Eikenberry, Freeman, Gallagher, Gilleland, Greengo, Hanna, Hansey, Hawkins, Hayner, Hendricks, Hurley M., Juelling, Kuehnle, Leckenby, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Schumaker, Thompson, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representative McCormick.

Engrossed Substitute House Bill No. 863, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 864, by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol and Shipchock):**

Adopting a budget for the institutions of higher education.

The bill was read the third time and placed on final passage.

Mr. Bagnariol spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 864, and the bill passed the House by the following vote: Yeas, 80; nays, 17; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipchock, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Dunlap, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Hansey, Hayner, Hurley M., Kuehnle, Leckenby, Lysen, Parker, Polk, Williams, Wojahn.

Not voting: Representative McCormick.

Engrossed Substitute House Bill No. 864, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### JOINT SESSION

The Sergeant at Arms of the House announced the arrival of the Senate at the bar of the House.

The Speaker invited the Senators to seats within the House and instructed the Sergeants at Arms of the Senate and the House to escort President Cherberg, Vice President Henry and Vice President Pro Tempore Keefe of the Senate to seats on the rostrum beside the Speaker.

The Speaker turned the gavel over to the President of the Senate.

The Secretary of the Senate called the roll of the Senate, and all members were present except Senators Francis, Herr, McDermott, Rasmussen and Scott, who were excused.

The Clerk called the roll of the House and all members were present except Representative McCormick, who was excused.

The President of the Senate appointed Representatives Bauer, May and Lee; and Senators Washington, Pullen and Jolly as a committee to notify the Governor that the House and Senate were in Joint Session and were ready to receive his message.

The President of the Senate appointed Representatives Peterson, Dunlap and McKibbin; and Senators Peterson, Gould and Wilson to escort the elected state officials to seats within the House Chamber.

The Sergeants at Arms of the Senate and House announced the arrival of Governor Daniel J. Evans at the bar of the House, and the President requested the committee to escort him to a seat on the rostrum.

The President: "Honored and esteemed members of the Senate and House, ladies and gentlemen, it is the Lieutenant Governor's pleasure and privilege to present to you the Honorable Daniel J. Evans, Governor of the State of Washington."

#### RESPONSE TO THE SCHOOL FINANCING ISSUE BY GOVERNOR DANIEL J. EVANS

Governor Evans: "Governor Cherberg, Mr. Speaker, ladies and gentlemen of the legislature; citizens and taxpayers:

My message today is short. I have asked to speak today not only to you who represent the people but to the citizens of the state directly. We have experienced much in our state during the past decade – urban turmoil and economic boom followed by aerospace recession. We have shared with all people in the nation our share of the shame of national political power abuse, the dislocation of energy shortages, and the tragedy of economic downturn. Washington State has survived each of these crises remarkably well and today we stand stronger and more able than virtually any state of this nation.

To effectively face the future, however, we first must know better our own history and our present strengths. State tax growth in Washington State during the past ten years has been slower than any other state in the nation. In state and local taxes combined our growth has been 44th out of the 50 states of the nation. Total tax burdens and property tax burdens in Washington State are today below the national average. Our welfare caseload is a little more than half the national average and our error and fraud rate is among the lowest in the nation. Washington is nationally recognized for the care of its disabled and troubled, and ranks first in the nation in the response of citizen volunteers to public needs.

We enjoy a distinguished system of higher education. Our common school system produces graduates who compete exceptionally well in nationwide tests and the average educational attainment of Washington citizens is among the highest in the nation – in fact, second just behind Utah.

In recent months two national surveys were published measuring the quality of life in our nation. In the first of these the 50 states were measured one against the other with over a hundred separate measurements of life quality. Washington State ranked in the top three.

Recently Harper's Magazine conducted a similar survey of the 50 largest cities of the nation, again measuring more than a hundred elements of quality of life. The City of Seattle was first of the 50. Now we all take a great deal of pride in those measurements. We like to read about the high quality we have achieved in competition with our neighbors in other cities and in other states. But too seldom do we remember that those measurements of quality are pretty basically the measurements of our willingness to invest in public investments and to make those public investments in a wise and prudent way. The quality of life depends pretty heavily on the kind of educational system we have, our quality of health care, and what recreational opportunities are open to people, the environmental quality of our area, and the opportunity of people to earn and to live in a prosperous society. We are proud of what we have done. Let us not today destroy it.

Why repeat all of these facts? Well, it is because the scandals of failure and corruption and abuse of power fill our front pages. And I think it is long past the time that this 'scandal of excellence' gets equal billing.

But today another crisis faces us; perhaps not unexpected really, but stunning in its suddenness. For the past two weeks thousands of concerned students, parents and teachers have personally visited Olympia to ask me and to ask you the direct question, 'How are you going to lead?' and 'What are you going to do?'

Let no one be misled. This crisis is real. Six thousand lay-off notices have been issued, the equivalent of a major industrial plant in this state. And perhaps if it had been a major industrial plant there would have been either greater citizen concern and perhaps even faster governmental response. But six thousand lay-off notices have been issued, scores of schools are scheduled to close, a quarter of a million students face a new school year of shattered programs, overcrowded classrooms, and destroyed opportunities.

It is easy to point the finger of blame. Some point at me. Some point at the legislature. Some point at school administrators. Some point at the teachers. Some point at callous voters. I believe all are wrong.

The measure of the trial through which we now pass will not be our skill at escaping blame but our ability to find the best and the right solution.

I believe the legislature has tried. Twice in five years tax reform has been placed before the voters in an attempt to resolve the problem of basic school finance. Six times in twelve years in one way or another the legislature has by two-thirds vote adopted proposed constitutional amendments to ease the problem of school finance. Five out of six times those proposals were turned down. School administrators by and large have been attempting to operate with creaky and uncertain finances. Teachers, I believe, are producing basically good graduates who compete well. I mentioned earlier that educational attainment is high in this state. In recent years when we still had a military draft, the number of failures on a nationwide test of young men from the State of Washington was lower than the failure from any other state in the country. Students from this state compete exceptionally well in national merit scholar tests and other similar measurements of educational skills. Voters have patiently over the years supported increasing burdens until those burdens simply grew beyond control.

And this legislature and this governor face the challenge of response to crisis now - during this session - to give hope to those quarter of a million students or to turn our backs because our district wasn't directly affected, because we promised no new taxes, or simply because we just don't care.

I propose to you now a four part program designed to resolve our immediate problem and to initiate steps toward a permanent financial solution for school support. This program will require everyone to sacrifice a little. It will require administrators to manage more efficiently; this was a clear call of the voters during recent special levy elections and in hundreds of letters I have received since that time. I am confident, given the help and direction both of this legislature and of skilled citizens, administrators can manage more efficiently. This solution may very well require teachers to accept some small reduction in their ranks. Unpleasant perhaps, but it is likely to happen. There are lay-offs in other parts of government. There are lay-offs in other parts of industry. And we cannot expect given the difficult economic time in which we are now passing that education will be completely exempt from that process. Students will have to sacrifice a little. Students are going to have to help us find ways of lowering educational costs through better care of the physical facility which they all use. I hope students will turn to the task of helping to discover better ways in which to carry on the essential elements of common school education and to lower costs in doing so. A sacrifice is required of taxpayers to plow back a portion of property tax savings into more assured school support.

And perhaps most of all, the sacrifice of this legislature to provide the leadership, the courage, and the votes now to resolve this crisis.

A first and most urgent element is state revenue – state revenue to support 75 percent of the special levy requests made for school year 1975–76. This would reduce budget losses during the next school year to manageable proportions while still requiring school districts to live within tighter limits, and in doing so to respond to taxpayer wishes.

In school districts where levies have passed, 75 percent of such levies would be rolled back and replaced by state revenues so those residents would share in property tax reductions and still not lose the benefits of already assured school budgets. Special provisions would be made for districts with especially low per pupil dollar support.

Now I am confident that this proposal for a major portion of special levy requests but not all might not meet favor with some groups, particularly some of those representing the teachers of our state. They may believe that it is inadequate. But only if we are realistic is there any hope of a reasonable solution and only if we are realistic in what we ask for should any group have any real influence with a legislature.

Secondly, revenue required to accomplish this emergency aid for the next school year will be approximately \$155 million.

A \$31 million portion of this can come from increased per pupil guarantees already proposed for the 1975–76 school year budget as proposed by me and as passed by the House of Representatives. The remainder will require a temporary increase of 0.6 percent in the state sales tax, a 10 percent increase in the Business and Occupation tax, and a 10 percent surcharge on utilities. This revenue package retains the same balance in taxation between business and the individual as is represented by property tax reduction.

And let me reemphasize. This revenue increase of \$127 million during the next fiscal year is matched against corresponding property tax reductions of \$177 million.

Even after this proposal to gain necessary support for our schools for the next fiscal year, there will still be a \$50 million net bonus in terms of taxes on our citizens. In individual terms, a family of four living in a \$25,000 home, this family of four at the average family income in the State of Washington, will receive an average property tax reduction of \$108 during this next school year and will pay \$47 more in state sales tax.

The third element of this package – to avoid a repetition of this crisis – will require the best of all of us. I call for the joint executive and legislative appointment of a broadly based citizen task force to seek alternatives for permanent, guaranteed basic school financial support. This group should seek maximum citizen input and be prepared to report back to a legislative session in September, 1975 to allow preparation of those alternatives for a citizen vote in November, 1975. Any alternative chosen in November ought to be sufficient to handle the basic needs of education for the school year 1976–77 and for the years to come.

Fourth, and perhaps most important, financial certainty is simply not enough. I believe we can improve educational management and give more specific direction to those who govern our school systems. The citizen message is clear. The price for basic financial support of education is educational excellence and prudent management.

The proposed citizen task force and the legislature should give close attention to this major challenge. And I do suggest that there be a dual request of this citizen task force to seek the alternative for permanent financial solution and at the same time to look broadly at the potential for better educational direction and a more fundamental understanding of what constitutes basic and supportable education.

Under the leadership of the Superintendent of Public Instruction and with the cooperation of the Association of Washington Business, a thorough management analysis of our school system has just been completed. I am confident that the results will assist greatly in this task of better school management.

During the past several weeks I have received many additional suggestions of this nature. They include: Merit pay; accountability and measurement of achievement in the basics of education; tougher accreditation standards for schools and better enforcement of those standards; a uniform accounting and information base for all schools so that we may all know better what really is going on in education; extended contracts for teachers to allow extra days for teacher preparation and continuing in-service training; a probationary period for new-hires in our educational system; the continuing contract law not applying to administrators in respect to their administrative positions but rather holding those positions as administrators on the basis of a job well done; reduction in force policies conducted on other than simply seniority basis; more efficient transportation and purchasing policies throughout

the state; regionalization and consolidation of some educational or educational management functions.

Now not all of these suggestions may be practical or even desirable. And they are certainly not all inclusive. But they speak loudly of a citizen demand for good management and good education. And the two should not be incompatible.

While these proposals are specific, I am prepared to work with this legislature and each member of the legislature on other practical alternatives to resolve this problem, keeping in mind four basic requirements:

- (1) That we do resolve the immediate financial need.
- (2) That we do provide real money for this immediate need.
- (3) That we do set in motion a means of reaching a permanent solution.
- (4) That we seek out methods of improving educational management.

Too seldom do any of us go back and look at the basic document of government under which we govern. The Constitution of Washington State in Article IX, Section 1 states:

'It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.'

That constitutional provision was written into our Constitution in 1889. We have all taken the same oath on assuming office which includes the words to promise to 'uphold the Constitution and the laws of the State of Washington.' The words of Article IX are clear and unmistakable. There can be no misunderstanding.

The time is now to turn that constitutional rhetoric into reality.

I cannot believe that we will pass a budget inadequate to meet these needs, and adjourn without facing this issue. I could not and will not support such a course.

Let not the shame of inaction follow anyone from these halls, but rather the gratitude of our next generation given a renewed opportunity by thoughtful and courageous public servants.

Thank you."

The President of the Senate requested the escort committee to escort Governor Evans from the House Chamber.

The President of the Senate requested the escort committee to escort the elected state officials from the House Chamber.

#### MOTION

On motion of Mr. Charette, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker of the House.

The Speaker requested the Sergeants at Arms of the Senate and the House to escort President Cherberg, Vice President Henry and Vice President Pro Tempore Keefe from the House Chamber.

The House resumed its session.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 865, by Committee on Ways and Means (Originally sponsored by Representatives Shinpoch and Bagnariol):

Adopting a budget for the community colleges.

The bill was read the third time and placed on final passage.

Representatives Shinpoch and Bagnariol spoke to the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 865, and the bill passed the House by the following vote: Yeas, 67; nays, 28; not voting, 3.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Curtis, Douthwaite, Eikenberry, Fischer, Flanagan, Gaines, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Jueling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Matthews, Maxie, May, McKibbin, Moon, Nelson, Newhouse, O'Brien, Pardini, Paris, Patterson, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Thompson, Tilly, Valle, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Blair, Chatalas, Dunlap, Ehlers, Eng, Erickson, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Hayner, Hurley M., Lysen, Martinis, Moreau, North, Parker, Perry, Polk, Shipoch, Sommers, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Deccio, Kilbury, McCormick.

Engrossed Substitute House Bill No. 865, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please record my vote as "yes" on Engrossed Substitute House Bill No. 865.

ALEX DECCIO, 15th District.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 866, by Committee on Ways and Means (Originally sponsored by Representatives Shipoch and Bagnariol):

Adopting a budget for state agencies.

The bill was read the third time and placed on final passage.

Mr. Bagnariol spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 866, and the bill passed the House by the following vote: Yeas, 58; nays, 39; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gaspard, Haley, Hanna, Hansen, Haussler, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McKibbin, Moreau, North, O'Brien, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Hansey, Hawkins, Hayner, Hendricks, Hurley M., Kuehnle, Leckenby, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representative McCormick.

Engrossed Substitute House Bill No. 866, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, Engrossed Substitute House Bill No. 206, Engrossed Substitute House Bill No. 862, Engrossed Substitute House Bill No. 863, Engrossed Substitute House Bill No. 864, Engrossed Substitute House Bill No. 865 and Engrossed Substitute House Bill No. 866 were ordered transmitted immediately to the Senate.

#### MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

#### SECOND READING

On motion of Mr. Charette, the House elected to immediately consider the Senate Bills on today's second reading calendar.

SENATE BILL NO. 2127, by Senators Jolly and Benitz:

Expanding the definition of "construction project" for PUD purposes.

The bill was read the second time.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

On motion of Mr. Chatalas, the rules were suspended, the second reading considered the third, and Senate Bill No. 2127 was placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2127, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Smith R.

Not voting: Representatives McCormick, Patterson.

Senate Bill No. 2127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2384, by Senators Guess, Keefe, Lewis (R. H. "Bob"), Walgren and Fleming:

Permitting investment of excess city funds in LID interim financing warrants.

The bill was read the second time.

On motion of Mr. Chatalas, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2384 was placed on final passage.

Representatives Haussler and May spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2384, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, McCormick, Patterson, Polk.

Engrossed Senate Bill No. 2384, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2402, by Senators Bailey, Lewis (Harry) and Marsh:

Permitting port district commissioners to delegate authority to managing official.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2402 was placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2402, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Gallagher.

Not voting: Representatives Brown, McCormick, Patterson.

Engrossed Senate Bill No. 2402, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2074, by Senators Talley, Van Hollebeke and Sellar:

Authorizing sewer districts to issue revenue warrants and revenue bond anticipation warrants and expanding authority in regard to revenue bonds.

The bill was read the second time.

#### MOTION

On motion of Mr. Thompson, further action on Engrossed Senate Bill No. 2074 was deferred, and the bill was ordered placed on the calendar following Engrossed Senate Bill No. 2192.

ENGROSSED SENATE BILL NO. 2530, by Senator Walgren:

Relating to highways.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, Fourteenth Day, Ex. Sess., March 27, 1975.)

On motion of Mr. Hansen, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2530 as amended by the House was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2530 as amended by the House, and the bill passed the House by the following vote: Yeas, 69; nays, 27; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Dunlap, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Haussler, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Becker, Blair, Bond, Chandler, Curtis, Deccio, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Greengo, Haley, Hawkins, Hayner, Juelling, Kuehnle, Laughlin, Matthews, Nelson, Newhouse, North, Peterson, Polk, Sherman, Whiteside.

Not voting: Representatives McCormick, Patterson.

Engrossed Senate Bill No. 2530 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2192, by Senators Stortini, Ridder and Wanamaker:

Increasing the membership of the teachers' retirement system board.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixtieth Day, March 13, 1975.)

On motion of Mr. Bauer, the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2192 as amended by the House was placed on final passage.

Representatives Bauer and Kuehnle spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2192 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Vaile, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative McCormick.

Engrossed Senate Bill No. 2192 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE BILL NO. 2074:

The House resumed consideration of Senate Bill No. 2074 on second reading.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifteenth Day, Ex. Sess., March 28, 1975.)

Mr. Laughlin moved adoption of the committee amendment to page 3.

On motion of Mr. Kuehnle, the following amendment to the committee amendment was adopted:

In section 23, line 26 following "one of which signatures may" and before "be a facsimile" insert "with the written permission of the signator whose facsimile signature is being used," and on line 27 strike "and" and insert "((and) or"

The committee amendment as amended was adopted.

On motion of Mr. Laughlin, the balance of the committee amendments to page 3 were adopted.

On motion of Mr. Kuehnle, the following amendment was adopted:

On page 1, section 1, line 27 following "signatures may" insert "with the written permission of the signator whose facsimile signature is being used," and one line 29 before "secretary" strike "and" and insert "((and) or"

On motion of Mr. Laughlin, the committee amendments to the title were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2074 as amended by the House was placed on final passage.

Representatives Haussler and Laughlin spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Mr. Kuehnle, the action we took on line 29 by changing 'and' to 'or'—is the effect of this that each of the interest coupons must be signed without a facsimile; that is, by either the president or the secretary?"

Mr. Kuehnle: "Well, I guess I can't answer the question. After you called this to my attention and as I reread the bill, I'm not sure what the effect is. The intent obviously was to allow one facsimile signature on the bond, but then the last language relates to both facsimile signatures on bond coupons. I think we had better take a look at it and if the thrust of that amendment has been to require even one original signature on bond coupons, then this would just be a waste of time, but I think we had better check it out and we can catch it with committee amendments in the Senate, I think."

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2074 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 20; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chatalas, Clemente, Conner, Curtis, Deccio, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moreau, Nelson, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Chandler, Charette, Charnley, Cochrane, Douthwaite, Dunlap, Ehlers, Eng, Freeman, Hawkins, Hurley G. S., Moon, North, Pardini, Sherman, Thompson, Warnke, Williams, Wojahn.

Not voting: Representative McCormick.

Senate Bill No. 2074 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 377.

#### MOTION

On motion of Mr. Thompson, the House advanced to the eighth order of business.

#### MOTIONS

On motion of Mr. Thompson, SUBSTITUTE HOUSE BILL NO. 93 was rereferred from Committee on Ways and Means – Appropriations to Committee on Local Government.

On motion of Mr. Thompson, SENATE BILL NO. 2088 was rereferred from Committee on Ways and Means – Appropriations to Committee on Ways and Means – Revenue.

#### MESSAGE FROM THE SENATE

April 21, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 87,  
SUBSTITUTE HOUSE BILL NO. 208,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Thompson, the House adjourned until 9:30 a.m., Tuesday, April 22, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**FORTIETH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wash., Tuesday, April 22, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative McCormick, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Gabrielle Miller and Jay Magee. Prayer was offered by Reverend Nell M. Carlson of the Christian Church (Disciples of Christ) of Seattle.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGE FROM THE SENATE**

April 21, 1975

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2211,  
 SECOND SUBSTITUTE SENATE BILL NO. 2258,  
 SENATE BILL NO. 2417,  
 ENGROSSED SENATE BILL NO. 2634,  
 SUBSTITUTE SENATE BILL NO. 2724,  
 SUBSTITUTE SENATE BILL NO. 2730,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2855,  
 ENGROSSED SENATE BILL NO. 2904,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

**INTRODUCTION AND FIRST READING**

SUBSTITUTE SENATE BILL NO. 2211, by Committee on Transportation and Utilities (Originally sponsored by Senators Beck and Sellar):

Authorizing certain types of motor vehicle lighting.

To Committee on Transportation and Utilities

SECOND SUBSTITUTE SENATE BILL NO. 2258, by Committee on Ways and Means (Originally sponsored by Senators Walgren, Odegaard, Washington, Gould and North):

Screening certain school children in order to identify any children with specific learning disabilities.

To Committee on Education

SENATE BILL NO. 2417, by Senators Odegaard, Sandison, Donohue, Woody, Mardesich, Lewis (Harry), Peterson, Sellar, Bottiger, Guess, Talley, Newschwander, Henry and Walgren:

Repealing the forest practices act.

To Committee on Natural Resources

ENGROSSED SENATE BILL NO. 2634, by Senators Mardesich and Lewis (Harry):

Authorizing allowances for legislative members-elect.

To Committee on State Government

**SUBSTITUTE SENATE BILL NO. 2724**, by Committee on Transportation and Utilities (Originally sponsored by Senators Henry, Van Hollebeke and Scott):

Authorizing political subdivisions to license vehicle dealers.

To Committee on Transportation and Utilities

**SUBSTITUTE SENATE BILL NO. 2730**, by Committee on Agriculture (Originally sponsored by Senators Lewis (Harry), Bailey, Murray, North, Peterson, Gould, Francis, Scott, Sandison, Guess and Bluechel):

Prescribing requirements for humane treatment of animals.

To Committee on Agriculture

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2855**, by Committee on Higher Education (Originally sponsored by Senators Newschwander, Walgren, Sandison and Peterson):

Excluding certain community college faculty appointments from rights relating to tenure.

To Committee on Higher Education

**ENGROSSED SENATE BILL NO. 2904**, by Senators Goltz, Wanamaker and Jolly:

Amending laws relating to the dairy commission and dairy products.

To Committee on Agriculture

#### MOTION

On motion of Mr. Thompson, all bills listed on today's introduction sheet were passed to the committees designated.

#### REPORTS OF STANDING COMMITTEES

April 18, 1975

**HOUSE BILL NO. 493**, Prime Sponsor: Representative Zimmerman, providing for a resource recovery program. Reported by Committee on Ecology.

**MAJORITY** recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Bauer, Becker, Charnley, Douthwaite, Hawkins, Zimmerman.

**MINORITY** recommendation: Do not pass. Signed by Representatives Flanagan, Gallagher, Hansen, Wilson.

To Committee on Rules for second reading.

April 21, 1975

**HOUSE BILL NO. 793**, Prime Sponsor: Representative Polk, providing for a basic skills educational accountability system within grade k through 6 with initial pilot projects in two local school districts. Reported by Committee on Rules.

**MAJORITY** recommendation: Rerefer to Committee on Ways and Means - Appropriations.

April 21, 1975

**HOUSE BILL NO. 840**, Prime Sponsor: Representative Randall, relating to revenue and taxation. Reported by Committee on Rules.

**MAJORITY** recommendation: Rerefer to Committee on Ways and Means - Revenue.

April 21, 1975

**HOUSE BILL NO. 1166**, Prime Sponsor: Representative Randall, relating to revenue and taxation. Reported by Committee on Rules.

**MAJORITY** recommendation: Rerefer to Committee on Ways and Means - Revenue.

April 21, 1975

**HOUSE JOINT RESOLUTION NO. 25**, Prime Sponsor: Representative King, proposing a state constitutional convention. Reported by Committee on Constitution and Elections.

**MAJORITY** recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Chandler, Erickson, Hawkins, Knowles, Sherman, Tilly.

To Committee on Rules for second reading.

April 21, 1975

HOUSE JOINT RESOLUTION NO. 58, Prime Sponsor: Representative Dunlap, amending the Constitution. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ways and Means - Revenue.

April 21, 1975

HOUSE JOINT RESOLUTION NO. 59, Prime Sponsor: Representative Randall, amending the Constitution. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ways and Means - Revenue.

April 21, 1975

SENATE CONCURRENT RESOLUTION NO. 101, Prime Sponsor: Senator Mardesich, requesting establishment of the joint committee on Washington/British Columbia governmental cooperation. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson, Williams.

To Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MESSAGE FROM THE SENATE

April 21, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 377,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SECOND READING

HOUSE BILL NO. 423, by Representatives Laughlin, Bagnariol, Flanagan, Schumaker, Fortson and O'Brien:

Requiring that notice of a correction made to assessment of property be mailed by the assessor to the taxpayer by certified rather than registered mail.

The bill was read the second time.

On motion of Mr. Laughlin the following amendment by Representatives Zimmerman and Laughlin was adopted:

On page 2, line 14 after "mail," insert "with return receipt requested"

House Bill No. 423 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 484, by Representatives Maxie, Smith (Rick), Knowles, Eikenberry and North:

Authorizing superior court judges in class AA counties to transfer to the county the administration of juvenile program.

On motion of Mr. Knowles, Substitute House Bill No. 484 was substituted for House Bill No. 484, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 484 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 781, by Representatives Bagnariol, Gallagher, Newhouse, Thompson, Curtis and Shinpoch:

Establishing a state-wide uniform accounting system.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 806, by Representatives Randall and Gaines:

Prescribing a change in assessing inspection fees for winter sports activity conveyances.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 49, by Representatives Adams, Savage and Parker (by Committee on Social and Health Services of the 43rd Legislature request):

Making changes in the law relating to civil commitment and suicide.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 3rd Day, January 15, 1975.)

On motion of Mr. Parker, the committee amendments were adopted.

House Bill No. 49 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 75, by Representatives King, Chandler, Fortson and Lysen:

Making changes in the laws relating to voter registration.

On motion of Mrs. Fortson, Substitute House Bill No. 75 was substituted for House Bill No. 75, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 75 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 149, by Representatives Luders, Zimmerman, Adams, Valle and Bauer:

Regulating public water supply systems.

The bill was read the second time.

On motion of Mr. Luders, Substitute House Bill No. 149 was substituted for House Bill No. 149, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 149 was read the second time.

#### MOTION

On motion of Mr. Luders, further action on Substitute House Bill No. 149 was deferred, and the bill was placed on the second reading calendar following House Bill No. 707.

HOUSE BILL NO. 583, by Representative Bauer:

Authorizing payment of legal defense and judgments for certain educational agency staff and agents acting in line of duty.

The bill was read the second time.

On motion of Mr. Bauer, the following amendments were adopted:

On page 1, line 9 beginning with "any member" strike all material through "against"

On page 1, line 15 after "If" strike "a majority" and insert "any member"

On page 1, line 25 after "amended" insert ": PROVIDED, That such payments may be paid from insurance purchased pursuant to section 2 of this act"

House Bill No. 583 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 606, by Representatives Ceccarelli, Warnke, Kalich and Curtis:

Permitting young adults to work in class H premises.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment, see Journal, 7th Day, ex. sess., March 20, 1975.)

Mr. Warnke moved adoption of the committee amendment.

Mr. Charette moved adoption of the following amendment to the committee amendment:

Strike everything after "follows:" in line 7 and insert the following:

"Notwithstanding provisions of RCW 66.44.310, employees of Class A, C, D and/or H licensees 18 years of age and over may take orders for, serve and sell liquor in any part of the licensed premises except



cocktail lounges, bars, or other areas classified by the Washington State Liquor Control Board as off-limits to persons under 21 years of age: PROVIDED, That such employees may enter such restricted areas for the following purposes: To pick up liquor for service in other parts of the licensed premises, to perform clean up work, to set up and arrange tables, and to deliver supplies: PROVIDED FURTHER, That such employees shall remain in the areas off-limits to minors no longer than is necessary to carry out their aforementioned duties: PROVIDED FURTHER, That such employees shall not be permitted to perform activities or functions of a bartender."

Mr. Charette spoke in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Pardini.

Mr. Pardini: "The last proviso in your amendments says 'PROVIDED FURTHER, That such employees shall not be permitted to perform activities or functions of a bartender.' There has been considerable discussion about barmaids; did you deliberately exclude them?"

Mr. Charette: "I believe that it means that no one under 21 can work as either a barmaid or a bartender. That is the intent of the amendment."

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

House Bill No. 606 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 698, by Representatives Shinpoch, Flanagan and Matthews:

Requiring salary and fringe benefit surveys for employees under the state personnel board and the higher education personnel board.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Do pass as amended. (For amendments, see Journal, Fourth Day, ex. sess., March 17, 1975.)

On motion of Mr. Shinpoch, the committee amendments to page 1, line 27 and page 2, line 3 were adopted.

#### MOTION

On motion of Mr. Thompson, further action on House Bill No. 698 was deferred, and the bill was ordered placed on the calendar following House Bill No. 659.

SUBSTITUTE HOUSE BILL NO. 149:

The House resumed consideration of the bill on second reading.

On motion of Mr. Newhouse, the following amendment was adopted:

On page 2, line 23 after "serving" strike the remainder of the sentence and insert "nine or less single family residences"

Mr. Berentson moved adoption of the following amendment:

On page 3, line 19 insert a new subsection to read as follows:

"(3) Public water supply systems supplying water to residences for domestic use or to commercial or domestic users which either (a) have fewer than 25 services in use at any one time or (b) serve less than 125 people."

Mr. Berentson spoke in favor of the amendment, and Mr. Luders spoke against it.

Mr. Thompson demanded an electric roll call and the demand was sustained.

Mr. Berentson again spoke in favor of the amendment and Mr. Zimmerman spoke against it.

Representatives Kuehne, Fortson and Hansey spoke in favor of adoption of the amendment, and Mr. Zimmerman spoke again in opposition to it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Berentson to Substitute House Bill No. 149 and the amendment was not adopted by the following vote: Yeas, 46; nays, 49; not voting, 3.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gilleland, Greengo, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Juelling, Kalich, Kuehnle, Leckenby, Matthews, May, Nelson, Newhouse, North, Pardini, Parker, Patterson, Schumaker, Seeburger, Sherman, Smith E. P., Smith R., Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Eng, Gaines, Gaspard, Hanna, Hawkins, Hurley G. S., Hurley M., Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, McKibbin, Moon, Moreau, O'Brien, Paris, Perry, Peterson, Polk, Randall, Savage, Shinpoch, Sommers, Thompson, Valle, Warnke, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Haley, McCormick, Wojahn.

On motion of Mr. Hansen, the following amendment by Representatives Hansen, Zimmerman and Luders was adopted:

On page 3, line 6 after "water supply systems" strike the comma and insert "that obtain their supply from a stream, lake or other surface water,"

Mr. Kuehnle moved adoption of the following amendment:

On page 2, line 24 after "residence" insert ": PROVIDED, That notwithstanding any other provision of law, including, but not limited to chapter 43.20 RCW no public water supply system shall be required by any department, agency, officer, or employee of the state or any political subdivision thereof to fluoridate the water provided for use for human consumption"

Mr. Pardini moved adoption of the following amendment to the Kuehnle amendment:

On line 4 after "state" strike "or any other political subdivision thereof"

Representatives Pardini and Douthwaite spoke in favor of the amendment to the amendment, and Mr. Kuehnle spoke against it.

Mr. Pardini spoke again in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "I would like to know how you can make provisions for people with religious beliefs—how do you exempt them from drinking the only water that comes through their water supply?"

Mr. Pardini: "The same way that you had proposed to make provision for people who want fluoridation. You suggested that they get a separate water supply or a separate tablet. I suppose that those people who don't want fluoridation can go to a well and get fresh water."

Mr. Kuehnle spoke against adoption of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mrs. Hurley (Margaret).

Mrs. Hurley: "You mentioned that the people could also vote it in, but isn't it also possible that the local government could require fluoridation by ordinance and it would not require any vote of the people at all?"

Mr. Pardini: "Absolutely, they could, Mrs. Hurley, that's why those local people are elected to public office, to fulfill the responsibilities as they see fit."

Mr. Haley spoke in favor of the amendment to the amendment.

The amendment to the amendment was adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Kuehnle as amended.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle as amended to Substitute House Bill No. 149, and the amendment was adopted by the following vote: Yeas, 60; nays, 31; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Berentson, Boldt, Bond, Chandler, Clemente, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, Knowles, Kuehnle, Lee, Luders, Martinis, Matthews, May, McKibbin, Moreau, Nelson, Newhouse, North, Pardini, Paris, Parker, Peterson, Polk, Schumaker, Seeburger, Sherman, Smith E. P., Smith R., Warnke, Whiteside, Wojahn.

Voting nay: Representatives Bagnariol, Becker, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Cochrane, Greengo, Haley, Hanna, Hawkins, Kalich, King, Laughlin, Lysen, Maxie, Moon, O'Brien, Patterson, Perry, Savage, Shipoch, Sommers, Thompson, Tilly, Valle, Williams, Wilson, Zimmerman.

Not voting: Representatives Chatalas, Conner, Douthwaite, Leckenby, McCormick, Randall, and Mr. Speaker.

The Clerk read the following amendment by Representatives Zimmerman, Hurley (Margaret) and Luders:

On page 3, line 19 following section 4 add a new section as follows:

"NEW SECTION. Sec. 5. Nothing in this chapter shall be applied or interpreted to require the fluoridation of public water supply systems."

Renumber the remaining sections consecutively.

With the consent of the House, Mr. Zimmerman withdrew the amendment.

Mr. Deccio moved adoption of the following amendment:

On page 7, line 10 after "offense." insert "Upon conviction of a first offense, the fine imposed shall be suspended on condition that the violation be corrected within thirty days of the date of the suspension."

Representatives Deccio, Luders and Hansen spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 149 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 763, by Representatives Hayner and Knowles:

Authorizing juvenile court and department of social and health services to retain jurisdiction over delinquent juvenile until age twenty-one.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, Seventh Day, ex. sess., March 20, 1975.)

On motion of Mr. Knowles, the committee amendment was adopted.

House Bill No. 763 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 430, by Representatives Wojahn and Pardini:

Prescribing requirements and procedures for award of professional services contracts.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, Thirteenth Day, ex. sess., March 26, 1975.)

On motion of Mr. Warnke, the committee amendments were adopted.

House Bill No. 430 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 464, by Representatives Conner, Hansey and Savage:

Authorizing the aeronautics commission to provide assistance to certain Indian tribes.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, Twentieth Day, ex. sess., April 2, 1975.)

On motion of Mr. Conner, the committee amendment was adopted.

House Bill No. 464 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 490, by Representatives Gaines and Randall:

Amending law on liability of landowners where recreational.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Nineteenth Day, ex. sess., April 1, 1975.)

On motion of Mr. Knowles, the committee amendments were adopted.

House Bill No. 490 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 659, by Representatives Newhouse, Knowles, Curtis, Bond, Eikenberry, Greengo, Hayner, Hendricks, Leckenby, Matthews, Nelson and Wilson:

Prescribing changes to the law against discrimination.

On motion of Mr. Knowles, Substitute House Bill No. 659 was substituted for House Bill No. 659, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 659 was read the second time.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Newhouse:

On page 2, line 28 after "owner-lessor" strike "no more than one" and insert "a"

Representatives Kuehnle and Newhouse spoke in favor of the amendment, and Mr. Knowles spoke against it.

#### POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Pardini.

Mr. Pardini: "It appears to me that the present language without Representative Kuehnle's amendment could be interpreted—maybe you could clarify it for me—if a person owns six single family dwelling units can he maintain the restriction under the present language? It appears to me that the general classification in real estate is a single family dwelling, a multiple family dwelling, a duplex, fourplex, apartment house, and I am wondering about the owner/lessor of no more than one single family dwelling unit—would that mean that he could only own one, but that if he owned two he could not discriminate on the basis of marital status?"

Mr. Knowles: "That's not the intention. The intention here is that if he owns more than one then he comes under this general law on discrimination on the basis of sex or anything else. If those individuals own two or three, that might not be so bad, but as you well know there are many landlords that own as many as 50 dwelling units. When he has only one, this would then be consistent because he could state a policy of who he wants in that one unit and there couldn't be any discrimination. When he gets to the point where he uses one kind of restriction in one unit and a different kind in another, then perhaps (I don't know for sure) he might then be discriminating."

Representatives Nelson and Kuehnle spoke in favor of the amendment, and Ms. Sommers spoke in opposition to it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Kuehnle and Newhouse to Substitute House Bill No. 659, and the amendment was not adopted by the following vote: Yeas, 33; nays, 58; not voting, 7.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Fortson, Freeman, Gilleland, Hansen, Hayner, Hendricks, Hurley M., Jueling, Leckenby, Matthews, Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gallagher, Greengo, Haley, Hanna, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McKibbin, Moon, Moreau, O'Brien, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Gaines, Gaspard, Hansey, Lee, Lysen, McCormick, Wilson.

Mr. Kuehnle, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representatives Kuehnle and Newhouse to Substitute House Bill No. 659 failed to pass the House.

Representatives Kuehnle and Pardini spoke in favor of the motion, and Representatives Blair and Smith (Rick) spoke against it.

Mr. Pardini again spoke in favor of the motion to reconsider the amendment.

Mr. Conner demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the amendment by Representatives Kuehnle and Newhouse failed, and the motion was lost by the following vote: Yeas, 45; nays, 49; not voting, 4.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Bond, Ceccarelli, Chandler, Conner, Curtis, Deccio, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jueling, Kalich, Kuehnle, Laughlin, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Peterson, Polk, Schumaker, Smith E. P., Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bausch, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Ehlers, Erickson, Gaines, Gallagher, Haley, Hanna, Haussler, Hawkins, Hurley G. S., Jastad, Kilbury, Knowles, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, O'Brien, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Gaspard, King, McCormick, North.

#### MOTION

On motion of Mr. Charette, the House advanced to the eighth order of business.

#### MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 662 was rereferred from Committee on Social and Health Services to Committee on Local Government.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Wednesday, April 23, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FORTY-FIRST DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 23, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Chandler and McCormick, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ellen Gunter and Monte Crawford. Prayer was offered by The Venerable James E. Price, Vicar of St. Hilda's - St. Patrick's Episcopal Church of Meadowdale.

The reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

April 22, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2278,  
ENGROSSED SENATE BILL NO. 2467,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2480,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2491,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2517,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2618,  
ENGROSSED SENATE BILL NO. 2718,  
•SUBSTITUTE SENATE BILL NO. 2725,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2833,  
ENGROSSED SENATE BILL NO. 2913,  
ENGROSSED SENATE BILL NO. 2939,  
SENATE BILL NO. 2960,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

### REPORTS OF STANDING COMMITTEES

April 22, 1975

**HOUSE BILL NO. 231**, Prime Sponsor: Representative Wojahn, mandating certain school districts to divide into director districts and providing for election of directors thereunder. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 20 after "at least" strike "five" and insert "ten"

On page 2, beginning on line 25 strike all material down to and including "act, the" on line 26 and insert "The"

On page 2, line 30 after "establish" insert ", upon petition by ten percent or more of the registered voters in the school district who voted in the last general election,"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Bender, Boldt, Brown, Ehlers, Eng, Fortson, Hurley (George), Valle.

**MINORITY recommendation:** Do not pass. Signed by Representatives Dunlap, Haley, Hayner, Hendricks, Whiteside.

To Committee on Rules for second reading.

April 21, 1975

**HOUSE BILL NO. 624**, Prime Sponsor: Representative Randall, defining "regular property tax levies" for port district purposes. Reported by Committee on Ways and Means - Revenue.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, beginning on line 15 after "indebtedness" strike all material down to and including "53.36.020" on line 16

On page 1, following section 1 add a new section as follows:

"**NEW SECTION.** Sec. 2. This 1975 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of state government and its existing public institutions, and shall take effect immediately."

On page 1, line 3 of the title after "RCW 84.04.140" insert "; and declaring an emergency"

Signed by Representatives Randall, Chairman; Bagnariol, Brown, Eikenberry, Hawkins, Kilbury, Kuehnle, Newhouse, Sommers, Williams.

To Committee on Rules for second reading.

April 21, 1975

**HOUSE BILL NO. 840, Prime Sponsor:** Representative Randall, relating to revenue and taxation. Reported by Committee on Ways and Means - Revenue.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, beginning with "NEW" on line 3 strike all the material down to and including "state." on line 4 and add a new section as follows:

"Section 1. Section 66, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.510 are each amended to read as follows:

The county auditor shall regularly, when remitting motor vehicle excise taxes, pay to the state treasurer the excise taxes collected under this chapter. The treasurer shall then distribute such funds quarterly on the first day of the month of January, April, July and October of each year in the following amount: Fifteen percent to cities and towns for the use thereof apportioned ratably among such cities and towns on the basis of population; fifteen percent to counties for the use thereof to be apportioned ratably among such counties on the basis of moneys collected in such counties from the excise taxes imposed under this chapter; and seventy percent for schools to be ((distributed by the superintendent of public instruction and apportioned ratably among such school districts on the basis of moneys collected in such districts from the excise taxes imposed under this chapter. All of the funds distributed to school districts under this section shall be considered available revenues of the school district in computing state equalization support under RCW 28A.41.130)) deposited in the state general fund."

On page 1, line 1 of the title after "taxation" insert "; and amending section 66, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.510"

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Hawkins, Hurley (George), Kilbury, Nelson, Pardini, Sommers.

To Committee on Rules for second reading.

April 21, 1975

**HOUSE BILL NO. 915, Prime Sponsor:** Representative Adams, relating to social service planning, funding and delivery. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Parker, Vice Chairman; Becker, Cochrane, Eng, Fischer, Fortson, Greengo, Paris, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

April 21, 1975

**HOUSE BILL NO. 1037, Prime Sponsor:** Representative Bagnariol, imposing a special tax on coin-operated gambling devices. Reported by Committee on Ways and Means - Revenue.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 2, line 11 after "effect" strike "immediately" and insert "on July 1, 1975"

On page 1, line 3 of the title after "emergency" insert "; and prescribing an effective date"

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Eikenberry, Hawkins, Hurley (George), Kilbury, Moon, Nelson, Newhouse, Pardini, Sommers, Williams.

To Committee on Rules for second reading.

April 21, 1975

**SUBSTITUTE SENATE BILL NO. 2507, Prime Sponsor:** Senator Henry, designating office of program planning and fiscal management as recipient of certificate of annexation. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 3, beginning on line 30 after "year:" strike all material down to and including "ordinance:))" on page 4, line 1 and insert ") The resident population of the annexed territory shall be determined by, or under the direction of, the mayor of the code city. Such population determination shall consist of an actual enumeration of the population which shall be made in accordance with practices and policies, and subject to the approval of the ((board)) office. The population shall be determined as of the effective date of annexation as specified in the relevant ordinance."

Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Laughlin, Amen, Blair, Eng, Fischer, Lee, North, Paris, Whiteside.

To Committee on Rules for second reading.

April 21, 1975

**SENATE BILL NO. 2609,** Prime Sponsor: Senator Walgren, limiting the number of copies of Washington state statutes that a county must keep on file. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Eng, Fischer, Lee, North, Paris, Whiteside.

To Committee on Rules for second reading.

April 21, 1975

**ENGROSSED SENATE BILL NO. 2650,** Prime Sponsor: Senator Bailey, ratifying county budget actions. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 7 after "county" insert "legislative authority"

On page 1, line 11 of the engrossed bill, being line 12 of the printed bill, strike "substantially"

On page 1, strike all of section 2

On page 1, beginning on line 2 of the title after "RCW" insert a period and strike the remainder of the title.

Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Laughlin, Amen, Blair, Fischer, Lee, North, Paris, Whiteside, Wilson.

To Committee on Rules for second reading.

April 21, 1975

**SENATE BILL NO. 2910,** Prime Sponsor: Senator Bottiger, increasing fee to county auditor appointed by the director to issue vehicle license plates. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Fischer, Lee, North, Paris, Whiteside, Wilson.

To Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Thompson, the House advanced to the seventh order of business.

#### THIRD READING

**ENGROSSED HOUSE BILL NO. 464,** by Representatives Conner, Hansey and Savage:

Authorizing the aeronautics commission to provide assistance to certain Indian tribes.

The bill was read the third time and placed on final passage.

Representatives Conner and Hansey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 464, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman,



Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Charnley, Hansen, Kalich, McCormick, Newhouse.

Engrossed House Bill No. 464, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 490, by Representatives Gaines and Randall:

Amending law on liability of landowners where recreational.

The bill was read the third time and placed on final passage.

Mr. Gaines spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on final passage of Engrossed House Bill No. 490, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Charnley, Haley, Hendricks, Kalich, McCormick.

Engrossed House Bill No. 490, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 606, by Representatives Ceccarelli, Warnke, Kalich and Curtis:

Permitting young adults to work in licensed liquor premises.

The bill was read the third time and placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 606, and the bill passed the House by the following vote: Yeas, 70; nays, 22; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Jastad, Juelling, Kilbury, King, Knowles, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, Nelson, North, O'Brien, Pardini, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Berentson, Bond, Charette, Ehlers, Erickson, Hurley M., Kuehnle, Leckenby, Luders, McKibbin, Moreau, Newhouse, Paris, Parker, Seeberger, Thompson, Tilly, Whiteside, Wojahn, Zimmerman.

Not voting: Representatives Chandler, Gaspard, Hendricks, Kalich, McCormick, Moon.

Engrossed House Bill No. 606, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business.

## SECOND READING

**SUBSTITUTE HOUSE BILL NO. 659**, by Committee on Judiciary (Originally sponsored by Representatives Newhouse, Knowles, Curtis, Bond, Eikenberry, Greengo, Hayner, Hendricks, Leckenby, Matthews, Nelson and Wilson):

Prescribing changes to the law against discrimination.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Mr. Newhouse moved adoption of the following amendment:

On page 2, beginning on line 32 strike all material down to and including "involved" on line 36 and insert the following: "In addition to the foregoing exception, nothing in this section shall prohibit the owner-lessee of two or more dwelling units from limiting any rental or lease occupancy or unit to one married couple or to one individual or two or more individuals of the same sex only: PROVIDED, That such limitation is the consistent written policy of the landlord as to the premises involved"

Representatives Newhouse and Knowles spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Boldt.

Mr. Boldt: "Representative Newhouse, would it be the intention of your amendment in the term 'unit,' that a unit is one living dwelling, or could a unit be construed here to mean a complex of more than one unit?"

Mr. Newhouse: "I would interpret unit to possibly include an apartment house unit where there would be multiple unit apartment houses."

Mr. Boldt: "So the word unit here could mean a complex of multiple dwellings for more than one family or more than one tenant?"

Mr. Newhouse: "Yes."

Mr. Kuehnle spoke in favor of the amendment.

The amendment was adopted.

Mr. Bond moved adoption of the following amendment by Representatives Leckenby and Bond:

On page 1, line 16 add new sections to read as follows:

"**NEW SECTION.** Section 1. There is added to chapter 49.60 RCW a new section to read as follows:

No state agency shall establish or continue to effect any rule or regulation which would prohibit any specified communication, or inhibit communication generally, in preemployment or employment situations unless such rule or regulation is prefaced with or includes a statement noting that the prohibition applies only if such communication is used or intended to limit, specify, or discriminate as to age, sex, marital status, race, creed, color, national origin, or the presence of any sensory, mental or physical handicap without relation to a bona fide occupational qualification.

Sec. 2. Section 9, chapter 37, Laws of 1957 as last amended by section 6, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.180 are each amended to read as follows:

It is an unfair practice for any employer:

(1) To refuse to hire any person because of such person's age, sex, marital status, race, creed, color, national origin, or the presence of any sensory, mental, or physical handicap, unless based upon a bona fide occupational qualification: **PROVIDED**, That the prohibition against discrimination because of such handicap shall not apply if the particular disability prevents the proper performance of the particular worker involved.

(2) To discharge or bar any person from employment because of such person's age, sex, marital status, race, creed, color, national origin, or the presence of any sensory, mental, or physical handicap.

(3) To discriminate against any person in compensation or in other terms or conditions of employment because of such person's age, sex, marital status, race, creed, color, national origin, or the presence of any sensory, mental, or physical handicap: **PROVIDED**, That it shall not be an unfair practice for an employer to segregate washrooms or locker facilities on the basis of sex, or to base other terms and conditions of employment on the sex of employees where the board by regulation or ruling in a particular instance has found the employment practice to be appropriate for the practical realization of equality of opportunity between the sexes.

(4) To print, or circulate, or cause to be printed or circulated any statement, advertisement, or publication, or to use any form of application for employment, or to make any inquiry in connection with prospective employment, which expresses any limitation, specification, or discrimination as to age, sex, marital status, race, creed, color, national origin, or the presence of any sensory, mental, or physical handicap, or any intent to make any such limitation, specification, or discrimination, unless based upon a bona fide occupational qualification: PROVIDED, Nothing contained herein shall prohibit advertising in a foreign language: PROVIDED FURTHER, Nothing contained herein shall restrict or inhibit any communication in preemployment or employment situations if such communication is not used or intended to limit, specify, or discriminate as to age, sex, marital status, race, creed, color, national origin, or the presence of any sensory, mental, or physical handicap."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Knowles: "I request that the Chair examine this amendment on the basis of scope and object."

SPEAKER'S RULING

The Speaker: "The Speaker finds that under Rule 33, 'No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the House.' The Speaker finds that the amendment and House Bill No. 61 are the same proposition."

Mr. Leckenby: "Mr. Speaker, I had House Bill No. 61 drafted and it was never acted upon by our Labor Committee. I felt this was an opportunity to get this information out. It is in regard to preemployment communications regulations that have been set up by the Human Rights Commission. This applies particularly to exconvicts. Having been involved for many years in attempts to employ exconvicts and to have them employed by other organizations, I feel that it is very important that the Washington State Human Rights Commission remove the restrictions they have set up or have proposed to set up in the WAC Code. There are many employers who are making a positive effort to employ exconvicts and the more restrictions put in their way the fewer times they are going to make positive efforts to employ these people. That was the purpose of my proposed amendment. I would like to get this into the statute, but perhaps if the Human Rights Commission understands the extent of the problem they are creating—that when a prospective employer would talk to an exconvict and perhaps decide not to employ him, that employer would then be exposing himself to action from the Human Rights Commission. If they didn't have these kinds of regulations those employers who have good intentions would be freer to exercise their communications with these people and I'm sure that more employment would take place. It was for that reason that I felt that this should be acted upon by this body."

The Speaker: "I would have to hold that this is the subject matter of another bill as it now stands and therefore the point of order is well taken, and I would have to rule it out of order."

Substitute House Bill No. 659 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 707, by Representatives Chatalas and Pardini:

Raising license fees and raising maximum amount small loan companies can loan.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendment, see Journal, Fourteenth Day, ex. sess., March 27, 1975.)

On motion of Mr. Pardini, the committee amendment was adopted.

The Clerk read the following amendment by Representative Hurley (George):

On page 1, beginning on line 22 strike all of section 1 and renumber the remaining sections consecutively.

With the consent of the House, Mr. Hurley withdrew the amendment.

The Clerk read the following amendment by Representative Hurley (George):

On page 6, line 21 after "((one))" and before "dollars" strike "three thousand five hundred" and insert "two thousand"

Mr. Blair moved adoption of the following amendment to the Hurley amendment:  
On line 3 after "two thousand" insert "five hundred"

Mr. Blair spoke in favor of the amendment to the amendment, and Mr. Hurley (George) spoke against it.

#### POINT OF ORDER

Mr. Pardini: "Recognizing from Representative Hurley's opening comments that some of his remarks might be harsh, I believe that his opening remarks are totally out of order and inappropriate. I believe the Chair should instruct Mr. Hurley to just tone it down."

The Speaker: "Representative Hurley, I think the demeanor of the House does require that we use discretion in our debate, and further, I hope that you will restrict your remarks at this time to the amendment before us. When we get to final passage, if the bill goes that far, the entire subject matter is then open for debate. The amendment before us is whether we should add \$500 onto your limitation."

Mr. Hurley (George) continued his remarks in opposition to the amendment to the amendment.

Mr. Bender spoke in favor of the amendment to the amendment, and Representatives Chatalas and Pardini spoke against it.

Mr. Hurley (George) spoke again in opposition to the amendment to his amendment.

#### POINT OF ORDER

Mr. Blair: "Representative Hurley's remarks certainly pertain to the main body of the bill, but they really have nothing to do with my amendment, or, in fact, his amendment, which doesn't relate to rates at all, but relates to maximum amounts that can be obtained from the loan institutions."

The Speaker: "Your point of order is well taken. Representative Hurley, the present subject matter before us is the amendment to the amendment which raises the limit another five hundred dollars, so I would appreciate it if you could stay within the confines of the amendment."

Mr. Hurley continued his remarks against the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Lysen.

Mr. Lysen: "You're in the business of financial institutions. I would just like to know, originally, when this bill was enacted, about in 1941, as I understand it there was a \$300 cap and they moved it to \$500 in the fifties and then in 1959 they moved it to a thousand dollars. What was the rationale at that time for the cap and the cap of \$1,000, and why would we change that rationale now to go beyond inflation? I think this amendment of \$2000 or \$2500 is responsible in terms of the inflation from 1959 until now. I would like to know what has changed in the financial industry which would change our thinking on this?"

Mr. Pardini: "I cannot account for the rationale in 1941 or 1949; I would suspect that rationale was the same rationale that it is an obligation of the state to put some upper limit on loans with higher interest rates, such as the small loans. In answer to the second part of your question as to why it should go to \$3500, my opinion would be that since 1941, since 1959, the extension of credit probably is not in direct proportion to the rise in the consumer price index. The extension of credit probably is more in proportion to the standard of living—to the color television sets, the automobile, the boat, the orthodontist, the buckle ski boots, to ten-speed bicycles, and I suspect that might be a little better criteria rather than the consumer price index."

Representatives Lysen and Moon spoke in favor of the amendment to the amendment, and Representatives Chatalas and Pardini spoke against it.

Mr. Chatalas spoke again in opposition to the amendment to the amendment.

Mr. Charette demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Blair to the Hurley (George) amendment to House Bill No. 707, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; not voting, 5.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Brown, Charette, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Greengo, Haley, Hawkins, Hendricks, Hurley M., Kilbury, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Paris, Perry, Peterson, Savage, Seeberger, Smith E. P., Smith R., Sommers, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Bausch, Berentson, Bond, Ceccarelli, Charnley, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hurley G. S., Jastad, Jueling, Kalich, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Matthews, Newhouse, Pardini, Parker, Patterson, Polk, Randall, Schumaker, Sherman, Shipoch, Thompson, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Chandler, Fortson, Hanna, McCormick, Nelson.

The Speaker stated the question before the House to be the amendment by Representative Hurley (George).

Representatives Hurley (George) and Haley spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (George) to page 6, line 21 of House Bill No. 707, and the amendment was not adopted by the following vote: Yeas, 37; nays, 57; not voting, 4.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Brown, Charette, Charnley, Clemente, Cochrane, Douthwaite, Fischer, Gaspard, Haley, Hawkins, Hurley G. S., Kalich, Kilbury, Knowles, Lysen, Martinis, Maxie, May, Moon, Moreau, North, Paris, Perry, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Berentson, Blair, Bond, Ceccarelli, Chatalas, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, King, Kuehne, Laughlin, Leckenby, Lee, Luders, Matthews, McKibbin, Nelson, Newhouse, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Smith R., Thompson, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Fortson, Hanna, McCormick.

The Clerk read the following amendment by Representative Hurley (George):

On page 6, section 8, line 21 after "exceed" and before "dollars" strike "~~((one))~~ three thousand five hundred" and insert "one thousand"

With the consent of the House, Mr. Hurley (George) withdrew the amendment.

Mr. Bender moved adoption of the following amendment by Representatives Bender and Fischer:

On page 10, line 7 insert the following:

"(6) No licensee shall knowingly make a loan to any borrower who is already indebted to another licensee under this chapter unless such prior loan is completely discharged by the payment of a portion of the proceeds of the current loan. No financial statement taken from a borrower shall be used to hold a debt nondischargeable in any bankruptcy proceeding.

Any violation of this subsection shall operate to totally discharge any obligation to pay the interest on such current loan."

Mr. Smith (Rick) moved adoption of the following amendment to the Bender/Fischer amendment:

In the second paragraph after "any" insert "intentional" and after "subsection" insert "or violation which through the use of reasonable diligence could have been discovered by the licensee"

Mr. Smith (Rick) spoke in favor of the amendment to the amendment, and Mr. Chatalas spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Smith (Rick) to the Bender/Fischer amendment to House Bill No. 707, and the amendment was not adopted by the following vote: Yeas, 47; nays, 47; not voting, 4.

Voting yea: Representatives Bauer, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Greengo, Haley, Hanna, Hawkins, Hurley G. S., Kilbury, Knowles, Lysen, Martinis, Maxie, May, McKibbin, Moon,

Moreau, Paris, Parker, Patterson, Peterson, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Berentson, Bond, Ceccarelli, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, King, Kuehne, Laughlin, Leckenby, Lee, Matthews, Nelson, Newhouse, North, O'Brien, Pardini, Perry, Polk, Randall, Schumaker, Shinpoch, Tilly, Whiteside, Wilson.

Not voting: Representatives Chandler, Luders, McCormick, Zimmerman.

Mr. Hurley (George) moved adoption of the following amendment to the Bender/Fischer amendment:

Strike the last sentence and insert "Any licensee violating the provisions of this section shall have his license revoked."

Mr. Hurley (George) spoke in favor of the amendment to the amendment, and Mr. Chatalas spoke against it.

Mr. Hurley (George) spoke again in favor of the amendment to the Bender/Fischer amendment.

The amendment to the amendment was not adopted.

The Speaker stated the question before the House to be the amendment by Representatives Bender and Fischer.

#### MOTION FOR RECONSIDERATION

Mr. Randall, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representative Smith (Rick) to the Bender/Fischer amendment failed to be adopted.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the amendment by Representative Smith (Rick) to the Bender/Fischer amendment, and the motion was carried by the following vote: Yeas, 47; nays, 44; not voting, 7.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Blair, Boldt, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Hawkins, Hurley G. S., Kilbury, King, Knowles, Lysen, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Peterson, Randall, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bausch, Berentson, Bond, Brown, Ceccarelli, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kuehne, Laughlin, Leckenby, Martinis, Matthews, Newhouse, Pardini, Patterson, Perry, Polk, Schumaker, Shinpoch, Tilly, Whiteside, Wilson.

Not voting: Representatives Chandler, Hansen, Lee, Luders, McCormick, Nelson, Zimmerman.

The Speaker stated the question before the House to be reconsideration of the vote by which the amendment by Representative Smith (Rick) to the Bender/Fischer amendment to House Bill No. 707 failed.

#### ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Smith (Rick) to the Bender/Fischer amendment, and the amendment was adopted by the following vote: Yeas, 65; nays, 25; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Haley, Hanna, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Berentson, Ceccarelli, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gilleland, Greengo, Hansey, Hurley M., Juelling, Leckenby, Matthews, Newhouse, Pardini, Schumaker, Tilly, Whiteside, Wilson.

Not voting: Representatives Chandler, Hansen, Hayner, Lee, Luders, McCormick, Nelson, Zimmerman.

The Speaker stated the question before the House to be the Bender/Fischer amendment as amended.

Representatives Bender, Douthwaite, Moon and Savage spoke in favor of the amendment, and Representatives Ceccarelli, Leckenby and Pardini spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bender and Fischer as amended to House Bill No. 707, and the amendment was not adopted by the following vote: Yeas, 39; nays, 53; not voting, 6.

Voting yea: Representatives Bausch, Becker, Bender, Boldt, Brown, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Hawkins, Hurley G. S., Kilbury, King, Lysen, Martinis, Maxie, May, Moon, Moreau, North, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Berentson, Blair, Bond, Ceccarelli, Charette, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Matthews, McKibbin, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Schumaker, Thompson, Tilly, Whiteside, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Haley, Hansen, Luders, McCormick, Zimmerman.

Mr. Hurley (George) moved adoption of the following amendment:

On page 1, following the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. On and after the effective date of this act it shall be unlawful for any person to engage in business as a small loan company. The term small loan company shall have its usual and ordinary meaning as of the effective date of this act: PROVIDED, That the division of banking of the department of general administration may, by rule and regulation, change the definition to carry out the provisions of this act.

NEW SECTION. Sec. 2. The provisions of this act shall not be construed to impair the obligation of any contract in existence on the effective date of this act.

NEW SECTION. Sec. 3. The following acts or parts of acts are each hereby repealed:

- (1) Section 2, chapter 208, Laws of 1941, section 1, chapter 212, Laws of 1959 and RCW 31.08.020;
- (2) Section 3, chapter 208, Laws of 1941, section 1, chapter 212, Laws of 1959 and RCW 31.08.030;
- (3) Section 4, chapter 208, Laws of 1941 and RCW 31.08.050;
- (4) Section 5, chapter 208, Laws of 1941 and RCW 31.08.060;
- (5) Section 6, chapter 208, Laws of 1941 and RCW 31.08.070;
- (6) Section 7, chapter 208, Laws of 1941 and RCW 31.08.080;
- (7) Section 8, chapter 208, Laws of 1941 and RCW 31.08.090;
- (8) Section 9, chapter 208, Laws of 1941 and RCW 31.08.100;
- (9) Section 10, chapter 208, Laws of 1941, section 3, chapter 212, Laws of 1959 and RCW 31.08.130;
- (10) Section 11, chapter 208, Laws of 1941 and RCW 31.08.140;
- (11) Section 12, chapter 208, Laws of 1941, section 4, chapter 212, Laws of 1959 and RCW 31.08.150;
- (12) Section 13, chapter 208, Laws of 1941, section 5, chapter 212, Laws of 1959 and RCW 31.08.160;
- (13) Section 14, chapter 208, Laws of 1941, section 6, chapter 212, Laws of 1959 and RCW 31.08.170;
- (14) Section 10, chapter 212, Laws of 1959 and RCW 31.08.173;
- (15) Section 11, chapter 212, Laws of 1959 and RCW 31.08.175;
- (16) Section 15, chapter 208, Laws of 1941, section 7, chapter 212, Laws of 1959 and RCW 31.08.180;
- (17) Section 16, chapter 208, Laws of 1941, section 8, chapter 212, Laws of 1959 and RCW 31.08.190;
- (18) Section 17, chapter 208, Laws of 1941, section 9, chapter 212, Laws of 1959, section 1, chapter 180, Laws of 1967 and RCW 31.08.200;
- (19) Section 18, chapter 208, Laws of 1941 and RCW 31.08.210;
- (20) Section 19, chapter 208, Laws of 1941, section 1, chapter 37, Laws of 1971 ex. sess. and RCW 31.08.220;
- (21) Section 20, chapter 208, Laws of 1941 and RCW 31.08.230;
- (22) Section 21, chapter 208, Laws of 1941 and RCW 31.08.240;

(23) Section 22, chapter 208, Laws of 1941 and RCW 31.08.250;

(24) Section 23, chapter 208, Laws of 1941, section 81, chapter 81, Laws of 1971 and RCW 31.08.260; and

(25) Section 24, chapter 208, Laws of 1941 and RCW 31.08.270."

Mr. Hurley (George) spoke in favor of the amendment, and Mr. Deccio spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

The amendment was not adopted.

House Bill No. 707 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Charette, the House reverted to the fourth order of business.

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2278, by Senators Ridder, McDermott, Goltz and Francis (by Department of Social and Health Services request):

Providing sanctions for violation of nursing home standards; providing for inspections, reports, and provisional licensing.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2467, by Senators Walgren, Clarke and Herr:

Permitting mutual savings banks to convert to savings and loan associations.

To Committee on Financial Institutions

ENGROSSED SUBSTITUTE SENATE BILL NO. 2480, by Committee on Financial Institutions (Originally sponsored by Senators Woody and Walgren):

Providing changes in security regulation provisions.

To Committee on Financial Institutions

ENGROSSED SUBSTITUTE SENATE BILL NO. 2491, by Committee on Natural Resources (Originally sponsored by Senators Pullen, Beck and Grant):

Prescribing penalties for a false application relating to licenses issued by the department of fisheries.

To Committee on Natural Resources

ENGROSSED SUBSTITUTE SENATE BILL NO. 2517, by Committee on Higher Education (Originally sponsored by Senators Sandison, Guess, Goltz and Benitz):

Relating to higher education.

To Committee on Higher Education

ENGROSSED SUBSTITUTE SENATE BILL NO. 2618, by Committee on State Government (Originally sponsored by Senator Rasmussen):

Relating to public contracts.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2718, by Senator Woody:

Requiring continuing education for licensed insurance brokers.

To Committee on Financial Institutions

SUBSTITUTE SENATE BILL NO. 2725, by Committee on State Government (Originally sponsored by Senators Rasmussen and Lewis (Harry)):

Providing for state defense of state employees in criminal actions.

To Committee on State Government



ENGROSSED SUBSTITUTE SENATE BILL NO. 2833, by Committee on Transportation and Utilities (Originally sponsored by Senators Wanamaker, Jolly, Beck and Sellar):

Relating to railroad grade crossing protective devices.

To Committee on Transportation and Utilities

ENGROSSED SENATE BILL NO. 2913, by Senators McDermott, Day and Ridder:

Permitting university medical graduates of foreign medical schools or colleges to become physician assistants for a limited number of years.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 2939, by Senator Morrison:

Permitting domestic wineries to sell at retail.

To Committee on Commerce

SENATE BILL NO. 2960, by Senators Henry, Matson and Morrison (by Department of Emergency Services request):

Making changes in the laws relating to emergency services.

To Committee on State Government

REPORTS OF STANDING COMMITTEES

April 22, 1975

HOUSE BILL NO. 1078, Prime Sponsor: Representative Martinis, revising the forest practices act. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Martinis, Chairman; Clemente, Gilleland, Greengo, Haussler, Kalich, Matthews, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 22, 1975

HOUSE BILL NO. 1150, Prime Sponsor: Representative Conner, authorizing contractual interest of school directors of 2nd and 3rd class districts up to an amount of \$3,600 in a calendar year. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Brown, Dunlap, Ehlers, Eng, Fortson, Haley, Hayner, Hurley (George), Whiteside.

To Committee on Rules for second reading.

MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Thursday, April 24, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FORTY-SECOND DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Thursday, April 24, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan Ackerman and Gary Senechal. Prayer was offered by Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

April 23, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2398,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 22, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2127,  
SENATE BILL NO. 2384,  
SENATE BILL NO. 2402,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1975

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 324,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SENATE BILL NO. 2127,  
SENATE BILL NO. 2384,  
SENATE BILL NO. 2402.

### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2398, by Senators Woody and Bottiger:

Regulating court reporters.

To Committee on Judiciary

### REPORTS OF STANDING COMMITTEES

April 23, 1975

HOUSE BILL NO. 78, Prime Sponsor: Representative Kilbury, improving working conditions for railroad employees. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, King, May.

To Committee on Rules for second reading.

April 23, 1975

HOUSE BILL NO. 493, Prime Sponsor: Representative Zimmerman, providing for a resource recovery program. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ways and Means - Appropriations.

April 22, 1975

HOUSE BILL NO. 1123, Prime Sponsor: Representative Randall, enacting new gift tax law. Reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 26 strike "of" and insert "or"

On page 10, line 11 after "incurred" strike all of the language through "judgment" on line 16

On page 10, line 18 after "act" insert ": PROVIDED, That in the event of litigation the court shall have the power to reduce or eliminate interest"

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Eikenberry, Hawkins, Kilbury, Kuehnle, Moon, Moreau, Nelson.

To Committee on Rules for second reading.

April 23, 1975

HOUSE JOINT MEMORIAL NO. 26, Prime Sponsor: Representative Becker, memorializing congress. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Agriculture.

April 22, 1975

SENATE BILL NO. 2131, Prime Sponsor: Senator Woody, permitting cemetery authorities to make deposits in federal savings and loan associations. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Chatalas, Leckenby, Pardini, Parker, Polk.

To Committee on Rules for second reading.

April 23, 1975

ENGROSSED SENATE BILL NO. 2218, Prime Sponsor: Senator Talley, providing a minimum limit for port district work contracts without bids. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Adams, Amen, Eng, Fischer, Shinpoch, Smith (Edward), Wilson.

To Committee on Rules for second reading.

April 22, 1975

SUBSTITUTE SENATE BILL NO. 2249, Prime Sponsor: Senator Woody, providing for the qualification and regulation of public depositaries. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Chatalas, Leckenby, Parker, Polk.

To Committee on Rules for second reading.

April 22, 1975

SENATE BILL NO. 2310, Prime Sponsor: Senator Woody, providing for paying savings and loan accounts to foreign executors in the same manner as for other banks. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following line 23 add new sections as follows:

"Sec. 2. Section 25, chapter 235, Laws of 1945 as amended by section 25, chapter 130, Laws of 1973 and RCW 33.16.110 are each amended to read as follows:

The board of directors, not later than at the regular meeting in January of each year, shall adopt a budget of expenses for the ensuing calendar year, which budget may be revised at any regular monthly

meeting by a two-thirds vote of the entire board of directors: PROVIDED, That as an alternative to a calendar year the board may adopt a fiscal year.

The officers shall maintain the expenses of the association within the budget so adopted.

The secretary shall transmit forthwith to the supervisor a copy of the budget, and of each amendment thereof, upon adoption.

Sec. 3. Section 14, chapter 107, Laws of 1969 as amended by section 31, chapter 130, Laws of 1973 and RCW 33.24.280 are each amended to read as follows:

An association may invest in capital stock, capital debentures, and bonds issued by any corporation organized under the laws of the United States or any state, subject to the further limitations and conditions that at the time of such investment the aggregate of the reserves, surplus, undivided profits and guaranty stock, if any, of the association is at least equal to five percent of the ((assets)) savings of the association and that immediately upon the making of any investment under authority of this paragraph, the aggregate amount of all investments then held by the association under authority of this paragraph does not exceed fifty percent of its guaranty stock, reserves, surplus, and undivided profits."

On line 1 of the title after "associations;" and before "and" insert "amending section 25, chapter 235, Laws of 1945 as amended by section 25, chapter 130, Laws of 1973 and RCW 33.16.110; amending section 14, chapter 107, Laws of 1969 as amended by section 31, chapter 130, Laws of 1973 and RCW 33.24.280;"

Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Chatalas, Leckenby, Pardini, Parker, Polk.

To Committee on Rules for second reading.

April 22, 1975

ENGROSSED SENATE BILL NO. 2332, Prime Sponsor: Senator Bottiger, amending laws relating to insurer's assessments. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Chatalas, Leckenby, Parker, Polk.

To Committee on Rules for second reading.

April 22, 1975

ENGROSSED SENATE BILL NO. 2411, Prime Sponsor: Senator Bailey, creating credit union share guaranty association. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Chatalas, Leckenby, Lysen, Parker, Polk.

To Committee on Rules for second reading.

April 22, 1975

ENGROSSED SENATE BILL NO. 2892, Prime Sponsor: Senator Fleming, establishing disposition procedures for unclaimed personal property in port districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Eng, Fischer, Lee, Paris, Wilson.

To Committee on Rules for second reading.

April 23, 1975

SENATE BILL NO. 2945, Prime Sponsor: Senator Washington, authorizing merger of sewer districts across county lines. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Adams, Amen, Cochrane, Eng, Fischer, North, Shipoch, Smith (Edward), Wilson.

To Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

## SECOND READING

HOUSE BILL NO. 435, by Representatives McCormick, Martinis, Newhouse, Zimmerman and Gallagher:

Revising law relating to rate setting and financing of public service companies.

The bill was read the second time.

On motion of Mr. Perry, Substitute House Bill No. 435 was substituted for House Bill No. 435, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 435 was read the second time.

Mr. Perry moved adoption of the following amendment by Representatives Perry and Pardini:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 80.04.130, chapter 14, Laws of 1961 and RCW 80.04.130 are each amended to read as follows:

Whenever any public service company shall file with the commission any schedule, classification, rule or regulation, the effect of which is to change any rate, charge, rental or toll theretofore charged, the commission shall have power, either upon its own motion or upon complaint, upon notice, to enter upon a hearing concerning such proposed change and the reasonableness and justness thereof, and pending such hearing and the decision thereon the commission may suspend the operation of such rate, charge, rental or toll for a period not exceeding (ten) eight months from the time the same would otherwise go into effect, and after a full hearing the commission may make such order in reference thereto as would be provided in a hearing initiated after the same had become effective.

At any hearing involving any change in any schedule, classification, rule or regulation the effect of which is to increase any rate, charge, rental or toll theretofore charged, the burden of proof to show that such increase is just and reasonable shall be upon the public service company.

Sec. 2. Section 80.04.250, chapter 14, Laws of 1961 and RCW 80.04.250 are each amended to read as follows:

The commission shall have power upon complaint or upon its own motion to ascertain and determine the fair value for rate making purposes of the property of any public service company used (and) or useful for service in this state and shall exercise such power whenever it shall deem such valuation or determination necessary or proper under any of the provisions of this title.

The commission shall have the power to make revaluations of the property of any public service company from time to time.

The commission shall, before any hearing is had, notify the complainants and the public service company concerned of the time and place of such hearing by giving at least thirty days' written notice thereof, specifying that at the time and place designated a hearing will be held for the purpose of ascertaining the value of the company's property, used (and) or useful as aforesaid, which notice shall be sufficient to authorize the commission to inquire into and pass upon the matters designated in this section.

In determining fair value for rate-making purposes of the properties of any public service company, the commission shall, if the public service company requests, consider appropriate value other than the original cost of the properties. The commission shall determine such fair value as of the end of the rate-making test period used in said proceeding.

In determining the fair value for rate-making purposes of the properties of any public service company, the commission shall include utility plant under construction to the extent requested by the public service company: PROVIDED, HOWEVER, That no such inclusion shall be allowed where the public service company fails to commit itself to forego the taking of interest during construction on such plant under construction: PROVIDED FURTHER, That such inclusion of utility plant under construction shall not exceed the actual costs incurred. The commission shall also consider reasonable allowance for working capital.

Sec. 3. Section 80.08.040, chapter 14, Laws of 1961 and RCW 80.08.040 are each amended to read as follows:

Application for authorization to issue such stocks and stock certificates or other evidence of interest or ownership, and bonds, notes, or other evidences of indebtedness shall be made to the commission stating the amount, character, terms and purpose of each proposed issue thereof, and stating such other pertinent details as the commission may require.

To enable it to determine whether it will issue such order, the commission may hold a hearing and may make such additional inquiry or investigation, and examine such witnesses, books, papers, documents, and contracts, and require the filing of such data as it may deem of assistance. The commission may by its order grant permission for the issuance of such stocks or stock certificates or other evidence of interest or ownership, or bonds, notes, or other evidences of indebtedness in the amount applied for, or in a lesser amount, or not at all, and may attach to the exercise of its permission such condition or conditions as it may deem reasonable and necessary.

If a commission or other agency or agencies is empowered by another state to regulate and control the amount and character of securities to be issued by any public service company within such other state, then the commission shall have the power to agree with such commission or other agency or agencies of such other state on the issuance of stocks and stock certificates or other evidence of interest or ownership, and bonds, notes, or other evidences of indebtedness by a public service company owning or operating a public utility both in such state and in this state, and shall have the power to approve such issue jointly with such commission or other agency or agencies and to issue a joint certificate of such approval: PROVIDED, HOWEVER, That no such joint certificate of such approval shall be required in order to express

the consent to and approval of such issue by the state of Washington if said issue is separately approved by the commission.

The public service company making the application may have the decision or order of the commission reviewed in the courts in the same manner and by the same procedure as any other order or decision of the commission, when the public service company shall deem such decision or order to be in any respect or manner improper, unjust or unreasonable.

**NEW SECTION.** Sec. 4. There is added to chapter 80.04 RCW a new section to read as follows:

The commission shall have the authority to authorize and approve the terms of any lease of utility facilities by a public service company, as lessee, if the public service company makes proper application to the commission certifying that such authorization or approval is necessary or appropriate to exempt any owner of the facilities from being a public utility company under the federal public utility holding company act.

**NEW SECTION.** Sec. 5. There is added to chapter 80.04 RCW a new section to read as follows:

In determining cost of service in any proceeding before the commission which commenced after December 31, 1974, the effect of which is to change a rate, rental, or toll of a public service company, the commission shall, if requested by the public service company involved:

(1) Use as a deduction for depreciation expense in calculating income tax expense the same amount as that allowed by the commission as depreciation expense in calculating the company's net operating income for the same accounting period, or such greater amount as may be requested by the public service company. Any tax deferral resulting from the difference between the depreciation deduction so determined and depreciation expense for the same period using lives and methods used by the company for income tax purposes shall be credited to a reserve account for deferred taxes, to be amortized as a credit to income tax expense ratably over the estimated depreciable life used in recording depreciation expense for the related property on the books of the public service company or such lesser period as may be requested by such company: PROVIDED, That no such amortization or other action shall be required which would result in loss of any tax depreciation benefit by the company under the federal income tax laws.

(2) Calculate income tax expense without regard to any investment tax credit allowed under federal tax laws, except that income tax expense may be reduced by amortizing any investment tax credit ratably over a period specified by the public service company, not exceeding the book depreciation life of the related property: PROVIDED, That no reduction shall be required which would result in loss of any investment tax credit by the public service company under the federal income tax laws.

**NEW SECTION.** Sec. 6. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 7. This 1975 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."

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Charette, the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the amendment by Representatives Perry and Pardini to Substitute House Bill No. 435.

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, Clemente, Seeberger, Sherman and Boldt to the Perry/Pardini amendment:

On page 1 of the amendment strike the last two underlined full paragraphs of section 2 and insert:

"In determining the fair value for rate-making purposes of the properties of any public service company, the commission shall include utility plant under construction unless the commission finds that the inclusion thereof is not in the public interest: PROVIDED, HOWEVER, That in any case where construction work in progress is considered in the rate base the public service company shall not be permitted any allowance for funds used during construction on any portion of construction work in progress included in the rate base."

Representatives Sommers, Seeberger and Bender spoke in favor of the amendment to the amendment, and Representatives Perry, Bond and Pardini spoke against it.

#### POINT OF INQUIRY

Mr. Perry yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Perry, I have great respect for your command of the energy problems and for your understanding of the utilities questions and issues, but I stated in my remarks that the commission shall also consider reasonable allowance for working

capital, would allow the utility to take consumer payments, rate payer's money, and add them to the base and thus receive a rate of return on consumer money. When you spoke you stated that was not so, but you did not explain, and I would like to ask you to explain how that language 'the commission shall also consider reasonable allowance for working capital' would allow the commission to disallow a reasonable allowance if those funds happen to be rate payer's funds?"

Mr. Perry: "The commission never allows you to use the rate payer's money to increase the rate payer's costs; that's deducted from your operation. In other words, if they allow you to use it in the company, you don't earn on the working capital. The only thing that allowing that money to stay in there does is preclude you from paying short-term interest to a bank. The rate payer ultimately pays for the whole thing. For instance, if you have a one-time accrual of \$30 or \$40 million and it remains within the company (it's usually not that much money that remains) it remains for working capital, to do the things that you have to do within that structure. The only difference is that when the company borrows that money it then goes into the next rate base period and receives back from the consumer of power the total cost of all the interest on the money plus the money that they used within the working base of their company. The working capital, as such, isn't earned on; you can't take the rate payer's money, have him pay it, put it into the system and then draw money back double-dip from the operation. The only money that stockholders can earn on is the money they invested. It just isn't done that way; the commission does not allow that kind of thing. You have the choice of retention or a flow-through. If it flows through the company rather than being used as working capital then it is either put into a rate reduction (if the company is very solvent and doesn't need the money) or it's put into the next rate case that the company has as a deduction. The following rate case, should you borrow money after that period of that rate case, goes into the rate base. I think the thing we have got to recognize here, is that every single dime paid in utilities for electric service, either public or private, is paid by the user. This is true in all utilities. The only thing here is that the amount of money that is allowed to flow back through the utilities for the investment capital; it doesn't do them any good to have any kind of a rate base that they can't earn a rate of return on. In other words, the rate base—it does good financially to borrow money, but it doesn't do any good for them to get any money to the stockholders. The states, as Representative Pardini has stated, that have normalization have lower rates of return to the stockholders because they consider more factors. You can't have your cake and eat it too."

Representatives McKibbin and Chandler spoke in favor of the amendment to the amendment, and Representatives Leckenby and Flanagan spoke against it.

Mr. Clemente demanded an oral roll call, and the demand was sustained.

Representatives Smith (Rick), Charnley, Bender and Clemente spoke in favor of the amendment to the amendment, and Representative Randall spoke against it.

Mr. Newhouse demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sommers and others to the amendment by Representatives Perry and Pardini to Substitute House Bill No. 435; and the amendment to the amendment was not adopted by the following vote: Yeas, 47; nays, 51; not voting, 0.

Voting yea: Representatives Bauer, Bausch, Becker, Bender, Blair, Brown, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Lysen, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Paris, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Berentson, Boldt, Bond, Ceccarelli, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Knowles, Kuehnle, Leckenby, Lee, Lunders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Parker, Patterson, Perry, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

#### MOTION FOR RECONSIDERATION

Mr. Boldt, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Representative Sommers and others to the Perry/Pardini amendment was not adopted.

Representatives Boldt, Douthwaite and McKibbin spoke in favor of the motion for reconsideration, and Representatives Perry and Pardini spoke against it.

Mr. Chatalas demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion for reconsideration of the vote by which the amendment by Representative Sommers and others to the Perry/Pardini amendment failed to be adopted, and the motion was lost by the following vote: Yeas, 47; nays, 51; not voting, 0.

Voting yea: Representatives Barnes, Bausch, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Lysen, Maxie, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Berentson, Bond, Ceccarelli, Chandler, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Knowles, Kuehnle, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, Newhouse, Pardini, Paris, Patterson, Perry, Peterson, Polk, Schumaker, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Mr. Randall moved adoption of the following amendment to the Perry/Pardini amendment:

On page 3, line 6 of subsection (1) of section 5 after "period" strike "or such greater amount as may be requested by the public service company" and insert a period.

Mr. Randall spoke in favor of the amendment to the amendment, and Mr. Perry spoke against it.

Mr. Randall spoke again in favor of the amendment to the amendment, and Representatives Newhouse, Seeberger and Pardini spoke against it.

Mr. Randall again spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Randall to the Perry/Pardini amendment to Substitute House Bill No. 435, and the amendment to the amendment was not adopted by the following vote: Yeas, 46; nays, 52; not voting, 0.

Voting yea: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., King, Lysen, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Paris, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Whiteside, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Bausch, Berentson, Bond, Ceccarelli, Chandler, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Jastad, Juelling, Kalich, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Parker, Patterson, Perry, Peterson, Polk, Schumaker, Tilly, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Mr. Randall moved adoption of the following amendment to the Perry/Pardini amendment:

On page 3, line 15 of subsection (1) following "company" strike "or such lesser period as may be requested by such company"

Mr. Randall spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Randall to page 3, line 15 of the Perry/Pardini amendment to Substitute House Bill No. 435, and the amendment to the amendment was adopted by the following vote: Yeas, 50; nays, 48; not voting, 0.

Voting yea: Representatives Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Lysen, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Paris, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Berentson, Bond, Ceccarelli, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Knowles, Kuehnle, Leckenby,



Lee, Luders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Parker, Patterson, Perry, Peterson, Polk, Schumaker, Tilly, Wilson, Zimmerman, and Mr. Speaker.

Mr. Bender moved adoption of the following amendment to the Perry/Pardini amendment by Representatives Bender, Sommers, Seeberger, Sherman and Boldt:

Beginning on page 3 of the amendment strike all of section 5.

Renumber the remaining sections consecutively.

Representatives Bender, Sommers, Moon and McKibbin spoke in favor of the amendment to the amendment, and Representatives Perry and Pardini spoke against it.

Mr. McKibbin spoke again in favor of the amendment to the amendment, and Mr. Pardini again spoke against it.

Mr. McKibbin spoke in favor of the amendment to the amendment again, and Representatives Perry and Peterson spoke against it.

Mr. Newhouse demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bender and others to the Perry/Pardini amendment to Substitute House Bill No. 435, and the amendment to the amendment was not adopted by the following vote: Yeas, 45; nays, 53; not voting, 0.

Voting yea: Representatives Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaspard, Greengo, Hanna, Haussler, Hawkins, Hendricks, Hurley G. S., Kilbury, King, Laughlin, Lysen, McKibbin, Moon, Moreau, North, O'Brien, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Berentson, Bond, Ceccarelli, Chandler, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Haley, Hansen, Hansey, Hayner, Hurley M., Jastad, Jueling, Kalich, Knowles, Kuehnl, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Schumaker, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

STATEMENT FOR THE JOURNAL

I wish to have my vote recorded as "yes" instead of "no" on the Bender amendment to the Perry/Pardini amendment to Substitute House Bill No. 435.

PEGGY JOAN MAXIE, 37th District.

Mr. Douthwaite moved adoption of the following amendment to the Perry/Pardini amendment:

On page 1, section 2, line 12 of the underlined language after "public service company" insert "unless the commission finds that the inclusion thereof is not in the public interest"

Representatives Douthwaite and McKibbin spoke in favor of the amendment to the amendment, and Representatives Perry and Bond spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Douthwaite to the Perry/Pardini amendment to Substitute House Bill No. 435, and the amendment was adopted by the following vote: Yeas, 56; nays, 42; not voting, 0.

Voting yea: Representatives Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Greengo, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Berentson, Bond, Ceccarelli, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Haley, Hansen, Hansey, Hayner, Hendricks, Jastad, Jueling, Kalich, Kuehnl, Leckenby, Lee, Luders, Matthews, May, Nelson, Newhouse, Pardini, Patterson, Perry, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

On motion of Mr. Charette, the following amendment to the Perry/Pardini amendment was adopted:

On page 1, before "Sec. 2." insert the following:

"Sec. 2. Section 80.04.160, chapter 14, Laws of 1961 and RCW 80.04.160 are each amended to read as follows:

The commission is hereby authorized and empowered to adopt, promulgate and issue rules and regulations covering the transmission and delivery of messages and conversations, and the furnishing and supply of gas, electricity and water, and any and all services concerning the same, or connected therewith; and generally such rules as pertain to the comfort and convenience of the public concerning the subjects treated of in this title. The commission shall adopt, promulgate and issue rules and regulations pertaining to the circumstances under which all services subject to this title may be connected or disconnected by any public service company: PROVIDED, That prior to disconnecting or terminating of any such service to any residential consumer for nonpayment of any bill, the public service company shall first give notice thereof to the consumer by personal contact or by certified mail with return receipt requested. Such rules and regulations shall be promulgated and issued by the commission on its own motion, and shall be served on the public service company affected thereby as other orders of the commission are served. Any public service company affected thereby, and deeming such rules and regulations, or any of them, improper, unjust, unreasonable, or contrary to law, may within twenty days from the date of service of such order upon it file objections thereto with the commission, specifying the particular grounds of such objections. The commission shall, upon receipt of such objections, fix a time and place for hearing the same, and after a full hearing may make such changes or modifications thereto, if any, as the evidence may justify. The commission shall have, and it is hereby given, power to adopt rules to govern its proceedings, and to regulate the mode and manner of all investigations and hearings: PROVIDED, No person desiring to be present at such hearing shall be denied permission. Actions may be instituted to review rules and regulations promulgated under this section as in the case of orders of the commission."

Renumber the remaining sections consecutively.

The Speaker stated the question before the House to be the amendment by Representatives Perry and Pardini as amended.

The amendment as amended was adopted.

The Clerk read the title.

Mr. Perry moved adoption of the following amendment to the title:

In the title, strike everything after "AN ACT" and insert the following:

"Relating to the powers and duties of the utilities and transportation commission; amending section 80.04.130, chapter 14, Laws of 1961 and RCW 80.04.130; amending section 80.04.250, chapter 14, Laws of 1961 and RCW 80.04.250; amending section 80.08.040, chapter 14, Laws of 1961 and RCW 80.08.040; adding new sections to chapter 80.04 RCW; and declaring an emergency."

On motion of Mr. Charette, the following amendment to the title amendment was adopted:

On page 3, line 3 of the title amendment after "RCW 80.04.130;" and before "amending" insert "amending section 80.04.160, chapter 14, Laws of 1961 and RCW 80.04.160;"

Substitute House Bill No. 435 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 324.

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, April 25, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**FORTY-THIRD DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Friday, April 25, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Eng, Haussler and Peterson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Coble and Mike Kuehner. Prayer was offered by Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

April 24, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2795,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 24, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2192, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 24, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2530 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 24, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2192,

SENATE BILL NO. 2530,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

**INTRODUCTION AND FIRST READING**

ENGROSSED SUBSTITUTE SENATE BILL NO. 2795, by Committee on Constitution and Elections (Originally sponsored by Senator Beck):

Relating to public disclosure.

To Committee on Constitution and Elections.

**REPORTS OF STANDING COMMITTEES**

April 23, 1975

HOUSE BILL NO. 212, Prime Sponsor: Representative Jastad, changing the gambling laws relating to amusement games. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Gaines, Greengo, Kuehne, O'Brien.

To Committee on Rules for second reading.

April 24, 1975

HOUSE BILL NO. 1042, Prime Sponsor: Representative Thompson, repealing laws on homesite lands. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Gilleland, Greengo, Haussler, Kilbury, Matthews, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 23, 1975

HOUSE BILL NO. 1119, Prime Sponsor: Representative Parker, coordinating and surveying the health care delivery system. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, after line 24 add a new section as follows:

"NEW SECTION. Sec. 4. To carry out the provisions of this amendatory act, there is appropriated to the state planning agency from the general fund for the biennium ending June 30, 1977, the sum of \$224,000, or so much thereof as shall be necessary."

On page 1, line 5 of the title after "70.38.030" insert "; and making an appropriation"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Fischer, Fortson, Greengo, Hanna, Hendricks, Paris.

To Committee on Rules for second reading.

April 24, 1975

SENATE BILL NO. 2124, Prime Sponsor: Senator Scott, repealing laws relating to mine to market roads. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Gilleland, Greengo, Haussler, Kilbury, Matthews, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 24, 1975

REENGROSSED SENATE BILL NO. 2385, Prime Sponsor: Senator Rasmussen, making certain changes in the laws relating to the Yacolt burn. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16 of the engrossed bill, being the Senate amendment to line 15 of the printed bill, after "to" strike "such"

On page 1, line 16 of the engrossed bill, being line 15 of the printed bill, after "lands" insert "within the area described in RCW 76.14.020"

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Gilleland, Greengo, Haussler, Kilbury, Matthews, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 24, 1975

ENGROSSED SENATE BILL NO. 2393, Prime Sponsor: Senator Peterson, authorizing the director of game to open, close, shorten, or reopen seasons by his order. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Gilleland, Greengo, Haussler, Kilbury, Matthews, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

April 24, 1975

SENATE BILL NO. 2608, Prime Sponsor: Senator Goltz, revising fiscal regulation of activated air pollution authorities. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 6 after "to it." insert "Any component city, town or county which contracts for the conduct of such special air pollution studies, investigations, plans, research, advice or consultation with any

entity other than the activated authority shall require that such an entity consult with the activated authority."

Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Bauer, Becker, Chandler, Charnley, Deccio, Douthwaite, Flanagan, Hansen, Hawkins, Wilson, Zimmerman.

To Committee on Rules for second reading.

April 23, 1975

ENGROSSED SENATE BILL NO. 2619, Prime Sponsor: Senator Day, providing a state-wide medical education system for family practice training. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Deccio, Eng, Fischer, Fortson, Greengo, Haley, Hanna, Hendricks, Paris, Tilly.

To Committee on Rules for second reading.

April 23, 1975

SUBSTITUTE SENATE BILL NO. 2725, Prime Sponsor: Senator Rasmussen, providing for state defense of state employees in criminal actions. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, McKibbin, Williams.

To Committee on Rules for second reading.

April 24, 1975

REENGROSSED SENATE BILL NO. 2731, Prime Sponsor: Senator Lewis, providing for training in trapping before license is issued. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Gilleland, Greengo, Haussler, Kalich, Kilbury, Matthews, Smith (Rick).

To Committee on Rules for second reading.

SPEAKER'S PRIVILEGE (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding) announced the death of former member of the House of Representatives and Senate, Perry Woodall. The House stood for one minute in silent tribute.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:  
 SENATE BILL NO. 2192,  
 SENATE BILL NO. 2530.

MOTION

On motion of Mr. Charette, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 149, by Committee on Ecology (Originally sponsored by Representatives Luders, Zimmerman, Adams, Valle and Bauer):

Regulating public water supply systems.

The bill was read the third time and placed on final passage.

Representatives Zimmerman and North spoke in favor of passage of the bill, and Representatives Hansey, Flanagan and Berentson spoke against it.

Mr. Zimmerman spoke again in favor of passage of the bill.

Mr. Conner demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 149, and the bill failed to pass the House by the following vote: Yeas, 37; nays, 49; not voting, 12.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Brown, Ceccarelli, Charnley, Chatalas, Cochrane, Douthwaite, Fischer, Gaspard, Hanna, Hawkins, Juelling, Kilbury, Knowles, Laughlin, Luders, McCormick, Moon, Moreau, North, O'Brien, Paris, Perry, Randall, Savage, Shipoch, Smith E. P., Thompson, Valle, Warnke, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Barnes, Berentson, Boldt, Bond, Chandler, Clemente, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Kalich, King, Kuehnl, Leckenby, Martinis, Matthews, Maxie, May, McKibbin, Nelson, Newhouse, Pardini, Parker, Patterson, Polk, Schumaker, Seeberger, Sherman, Sommers, Tilly, Whiteside, Williams, Wilson.

Not voting: Representatives Adams, Charette, Curtis, Eng, Haley, Haussler, Hurley G. S., Lee, Lysen, Peterson, Smith R., and Mr. Speaker.

Engrossed Substitute House Bill No. 149, having failed to receive the constitutional majority, was declared lost.

#### MOTION

On motion of Mr. Charette, ENGROSSED HOUSE BILL NO. 272 was rereferred to Committee on Rules.

ENGROSSED HOUSE BILL NO. 430, by Representatives Wojahn and Pardini:

Prescribing requirements and procedures for award of professional services contracts.

The bill was read the third time and placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 430, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kuehnl.

Not voting: Representatives Adams, Eng, Haley, Haussler, Hurley G. S., Lee, Lysen, Peterson, Whiteside.

Engrossed House Bill No. 430, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 484, by Committee on Judiciary (Originally sponsored by Representatives Maxie, Smith (Rick), Knowles, Eikenberry and North):

Authorizing superior court judges in class AA counties to transfer to the county the administration of juvenile program.

The bill was read the third time and placed on final passage.

Representatives Maxie and Eikenberry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on final passage of Substitute House Bill No. 484, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnl, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Newhouse.

Not voting: Representatives Adams, Deccio, Eng, Haussler, Hurley G. S., Lee, Lysen, Peterson, Whiteside.

Substitute House Bill No. 484, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 659, by Committee on Judiciary (Originally sponsored by Representatives Newhouse, Knowles, Curtis, Bond, Eikenberry, Greengo, Hayner, Hendricks, Leckenby, Matthews, Nelson and Wilson):

Prescribing changes to the law against discrimination.

The bill was read the third time and placed on final passage.

Representatives Newhouse and Knowles spoke in favor of the bill.

POINT OF INQUIRY

Mr. Newhouse yielded to question by Ms. Maxie.

Ms. Maxie: "It has been called to my attention by the American Association of University Women that perhaps the amendments adopted in this bill inadvertently permit discrimination against single parent families. I was wondering if you know for certain that this is the case? It appears that House Bill No. 659 permits exclusion of people from family housing if the head of the household is single. In your opinion, is this true?"

Mr. Newhouse: "It would not be true in my opinion. You will recall the rather extensive debate and the final amendment adopted which was prepared by committee staff and given to me by Representative Knowles which allows discrimination as to unmarried couples, but would not prohibit any single family parent with a family from getting into any type of housing unless it were for singles only."

Ms. Maxie: "Was that page 2, section 1, beginning on line 32—was that what you are referring to?"

Mr. Newhouse: "Yes."

Ms. Maxie: "So it would be your opinion that this would not permit discrimination against single families?"

Mr. Newhouse: "Yes, with the sole exception that the landlord would have the option, I think, for certain types of housing if it's a uniform policy over that area, to say 'single only.' In that case no family would be allowed. But those are rather rare."

Ms. Maxie: "Is that in operation now, do you know?"

Mr. Newhouse: "I have no way of knowing; I know it's in operation in other states of the country, but I'm not sure about this state."

Ms. Maxie: "And you don't see that as a discrimination against single people who happen to have children—to say 'single only, no children allowed?' I'm concerned about a single person—whether it's a male or a female—having a family and they can't find any dwelling. I'm wondering if maybe Representative Knowles can clarify it for me."

Mr. Knowles: "It isn't the intent in the bill to do such a thing. The real reason for the married couple thing is that it's a highly emotional area. I think Representative Pardini spoke to it the other day when he was speaking about the amendment in our particular different sections. It is the real feeling that a lot of people would like to be able to not rent to persons if they know that they are not married. Now this is a limited provision whereby if some want to take advantage of it they can set aside certain sections in their apartment complex, and say that they are only going to rent to married people. Now if they do that under some sort of a consistent policy, and that might be in the lease, might be in the rules and regulations that are presented to people applying for housing in that unit, might be posted on the wall with rules and regulations. At the same time in other areas in that particular apartment complex there may be one limited for single persons and that area then they might want to rent to single males only or in another section they might want to rent to single females only. Now that would be up to the landlord if he wants to put those kinds of restrictions on in various parts of a different unit. Or if he owns several individual single family dwelling units and he wanted to adopt that policy, he could do so without the Human Rights Commission feeling that that was discriminatory. In talking with the Human Rights Commission also on this problem, they

felt that the bill, that the law that they have to work with, causes them to bring these kinds of complaints out and look into them and investigate them. They'd rather not fiddle with them, so they actually requested some kind of language that would let them off the hook so there wouldn't be any need to investigate those kinds of complaints. I don't think every landlord in the state is going to take advantage of this; I'm sure there's going to be competition in housing and several landlords willing to rent to anyone they see fit. It's just in those particular instances where there is a real emotional feeling on the part of the landlord that he does not want unmarried couples living within his dwelling unit, and this entire section was designed to accommodate that particular kind of a landlord."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 659, and the bill passed the House by the following vote: Yeas, 83; nays, 8; not voting, 7.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Boldt, Cochrane, Haley, Hanna, Hawkins, Lee, Sommers, Williams.

Not voting: Representatives Adams, Eng, Haussler, Hurley G. S., Peterson, Savage, Whiteside.

Engrossed Substitute House Bill No. 659, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I would like my vote to be registered as "nay" on Engrossed Substitute House Bill No. 659.

PEGGY JOAN MAXIE, 37th District.

ENGROSSED HOUSE BILL NO. 707, by Representatives Chatalas and Pardini:

Raising license fees and raising maximum amount small loan companies can loan.

The bill was read the third time and placed on final passage.

Mr. Chatalas demanded an oral roll call and the demand was sustained.

Representatives Chatalas, Eikenberry, Bagnariol, Deccio and Ceccarelli spoke in favor of the bill, and Representatives Savage, Hurley (George) and Lysen spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 707, and the bill failed to pass the House by the following vote: Yeas, 49; nays, 45; not voting, 4.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bausch, Berentson, Blair, Bond, Ceccarelli, Chandler, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kuehnle, Laughlin, Leckenby, Lee, Luders, Matthews, McCormick, McKibbin, Nelson, Newhouse, Pardini, Patterson, Polk, Randall, Schumaker, Seeberger, Tilly, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Brown, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaspard, Greengo, Haley, Hanna, Hawkins, Hurley G. S., Kilbury, King, Knowles, Lysen, Martinis, Maxie, May, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Savage, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Eng, Haussler, Peterson.

House Bill No. 707, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Brown, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed House Bill No. 707 failed to pass the House.



Mrs. Erickson, having voted on the prevailing side, served notice that she would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 149 failed to pass the House.

**ENGROSSED HOUSE BILL NO. 49**, by Representatives Adams, Savage and Parker (by Committee on Social and Health Services of the 43rd Legislature request):

Making changes in the law relating to civil commitment and suicide.

The bill was read the third time and placed on final passage.

Mr. Parker spoke in favor of passage of the bill.

**ROLL CALL**

The Clerk called the roll on final passage of Engrossed House Bill No. 49, and bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bagnariol, Bond, Eng, Freeman, Haussler, Hendricks, Maxie, Patterson, Peterson, Shinpoch.

Engrossed House Bill No. 49, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**STATEMENT FOR THE JOURNAL**

I wish my vote to be recorded as "Yea" on Engrossed House Bill No. 49.

**KEMPER FREEMAN**, 48th District.

**ENGROSSED HOUSE BILL NO. 763**, by Representatives Hayner and Knowles:

Authorizing juvenile court and department of social and health services to retain jurisdiction over delinquent juvenile until age twenty-one.

The bill was read the third time and placed on final passage.

Mrs. Hayner spoke in favor of passage of the bill.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 763, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Dunlap, Eng, Freeman, Haussler, Peterson, Whiteside.

Engrossed House Bill No. 763, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**STATEMENT FOR THE JOURNAL**

We wish our votes on Engrossed House Bill No. 763 to be recorded as "Yea."

**RON DUNLAP**, 41st District.

**KEMPER FREEMAN**, 48th District.

**HOUSE BILL NO. 781**, by Representatives Bagnariol, Gallagher, Newhouse, Thompson, Curtis and Shinpoch:

Establishing a state-wide uniform accounting system.

The bill was read the third time and placed on final passage.

Representatives Shinpoch and Polk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 781, and the bill passed the House by the following vote: Yeas, 87; nays, 2; not voting, 9.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Charette, Smith E. P.

Not voting: Representatives Adams, Bond, Eng, Gaines, Haussler, Knowles, Luders, Peterson, Zimmerman.

House Bill No. 781, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 806**, by Representatives Randall and Gaines:

Prescribing a change in assessing inspection fees for winter sports activity conveyances.

The bill was read the third time and placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 806, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Kuehnle.

Not voting: Representatives Adams, Bausch, Bond, Eng, Haussler, Patterson, Peterson, Warnke, and Mr. Speaker.

House Bill No. 806, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business.

#### SECOND READING

**HOUSE BILL NO. 247**, by Representatives Thompson, Hayner, Adams, Eikenberry, Erickson, Newhouse, Haley, Bond, Matthews and Paris:

Limiting period during which medical malpractice actions can be brought to six years.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 247 was substituted for House Bill No. 247, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 247 was read the second time.

Mr. Gaspard moved adoption of the following amendment:

On page 1, line 18 before "years" strike "ten" and insert "fifteen"

Representatives Gaspard and Seeberger spoke in favor of the amendment, and Representatives Knowles, Thompson, Newhouse, Deccio and Haley spoke against it.

Mr. Gaspard spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Gaspard to Substitute House Bill No. 247, and the amendment was not adopted by the following vote: Yeas, 30; nays, 60; not voting, 8.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Becker, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Fischer, Gaspard, Hanna, Hawkins, Kalich, Lysen, McCormick, McKibbin, Moreau, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Williams, Wojahn.

Voting nay: Representatives Amen, Bausch, Bender, Berentson, Blair, Bond, Brown, Chandler, Clemente, Curtis, Deccio, Dunlap, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Martinis, Matthews, Maxie, May, Moon, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Schumaker, Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Eikenberry, Eng, Hansen, Haussler, Hurley G. S., Luders, Peterson.

Substitute House Bill No. 247 was passed to Committee on Rules for third reading.

STATEMENT FOR THE JOURNAL

I inadvertently voted yea on the Gaspard amendment to Substitute House Bill No. 247. Please record my vote as nay.

RICK SMITH, 23rd District.

HOUSE BILL NO. 483, by Representatives Shipoch, Polk, Bagnariol and Dunlap:

Implementing further consolidation of state automated data processing facilities.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 483 was substituted for House Bill No. 483, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 483 was read the second time.

On motion of Mr. Shipoch, the following amendments were adopted:

On page 2, line 9 after "~~1973~~)" insert the following:

"Absent an express legislative extension of its powers and authorization, the Washington state data processing authority shall cease to exist on June 30, 1980."

On page 7, line 11 after "authority" insert the following: "PROVIDED, That the authority shall neither assume additional tasks nor expand existing ones beyond their legislative scope, directly or indirectly, without express authorization from the legislative budget committee"

On page 7, following section 4 insert the following:

"Sec. 5. Section 8, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.045 are each amended to read as follows:

The executive director of the authority shall be responsible for carrying into effect the authority's orders and rules and regulations. The director shall also be authorized to employ such staff as is necessary, including ((but not limited to)) two assistant executive directors and a confidential secretary: PROVIDED, That the director may not increase the number of staff positions during any fiscal biennium without express authorization from the legislative budget committee. The director shall be paid such salary as shall be deemed reasonable by the state committee on salaries."

Renumber the remaining sections consecutively.

On page 7, following section 4 insert the following:

"Sec. 5. Section 6, chapter 115, Laws of 1967 ex. sess. as last amended by section 9, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.060 are each amended to read as follows:

State and local government agencies are authorized to enter into any contracts with the authority or its successor which may be necessary or desirable to effectuate the purposes and policies of this chapter or for maximum utilization of facilities and services which are the subject of this chapter: PROVIDED, That prior to contracting with any state or local government agencies, the authority shall submit all proposed contracts or agreements to the legislative budget committee for review and approval."

Renumber the remaining sections consecutively.

On motion of Ms. Sommers, the following amendment was adopted:

On page 3, line 15 after "agencies" insert "and"

On motion of Mr. Shipoch, the following amendment to the title was adopted:

On line 7 of the title after ".080;" insert "amending section 8, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.045; amending section 6, chapter 115, Laws of 1967 ex. sess. as last amended by section 9, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.060;"

Substitute House Bill No. 483 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 698, by Representatives Shinpoch, Flanagan and Matthews:

Requiring salary and fringe benefit surveys for employees under the state personnel board and the higher education personnel board.

The bill was read the second time. (For previous action, see Journal, Fortieth Day ex. sess., April 22, 1975.)

Committee on Ways and Means – Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 4th Day ex. sess., March 17, 1975.)

The Speaker (Mr. O'Brien presiding) reminded the members that the first two committee amendments had been adopted.

On motion of Mr. Shinpoch, the remaining committee amendments were adopted.

Ms. Sommers moved adoption of the following amendments by Representatives Sommers, Smith (Rick), Wojahn and Flanagan:

On page 1, line 27 after "That" insert "in any case where the board determines that private employers do not pay comparable salaries to men and women who hold positions that require or impose similar responsibilities, judgment, knowledge, skills and working conditions, the board may equalize such salaries for purposes of establishing the prevailing wages: PROVIDED, FURTHER, That"

On page 8, line 16 after "That" insert "in any case where the board determines that private employers do not pay comparable salaries to men and women who hold positions that require or impose similar responsibilities, judgment, knowledge, skills and working conditions, the board may equalize such salaries for purposes of establishing the prevailing wage: PROVIDED, FURTHER, That"

Representatives Sommers and Flanagan spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Sommers, in your remarks you used the words 'work study.' I read the amendments and it talks about similar responsibility, judgment and all these skills and working conditions; those are two different things in my judgment. The comparable work study is not necessarily based on these things and I would like to have a clarification from you whether you are talking about comparable work or whether you are talking about paying for similar responsibilities, and there is a considerable difference."

Ms. Sommers: "In my mind, a comparable work study used different words—they used accountability and some other words, but I think they were getting at the same thing. I would read it through to find the exact criteria they used, but in discussing this we felt that these were the important criteria and perhaps this language suited our purposes better."

Mr. Shinpoch: "Do you have a fiscal impact on this?"

Ms. Sommers: "No, I do not; in fact, Representative Shinpoch, I have been asking for a fiscal impact on the bill itself and we don't have one on that either."

Mr. Shinpoch: "Well, to comment on that, if you think the words in here are similar to the comparable work study then certainly there is a fiscal impact on the comparable work study. I understood your words to mean similar—at least it reached a similar position. There is a fiscal impact on the comparable work study and that has been out and well-known for quite some period of time; however, the only way that the fiscal note can go on this—the changes that we are proposing on this bill, other than these amendments—is that it has to reduce the amount of expenditures in the state. There would be a reduction as it takes out, in effect, the negotiation section which costs us \$14 million in this biennium. If you did nothing else other than take that section out, this would reduce the fiscal impact. I think you are well aware that there is a considerable fiscal impact there if you are really basing it on the comparable work study."

Mr. Smith (Rick) spoke in favor of the amendments.

The amendments were adopted.

On motion of Mr. Shinpoch, the following amendment was adopted:

On page 15, section 8, line 6 after "RCW" strike "41.06.160" and insert "28B.16.110"

Mr. Douthwaite moved adoption of the following amendments by Representatives Douthwaite and Bausch:

Beginning on page 3, line 36 after "industries" strike "~~((and other governmental units))~~" and insert "and other governmental units"

On page 4, line 34 following "rates" strike "~~((in other public employment and))~~" and insert "in other public employment and"

On page 10, line 24 after "industries" strike "~~((and other governmental units))~~" and insert "and other governmental units"

On page 12, line 7 after "industries" strike "~~((and other governmental units for positions of a similar nature in the locality in which the institution or related board is located))~~" and insert "and other governmental units for positions of a similar nature in the locality in which the institution or related board is located"

Representatives Douthwaite, Bausch, Moon and King spoke in favor of the amendments, and Representatives Shinpoch and Flanagan spoke against them.

Mr. Pardini demanded the previous question and the demand was not sustained.

Representatives Wojahn, Douthwaite and Smith (Rick) spoke in favor of the amendments, and Representatives Shinpoch and Polk spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Douthwaite and Bausch to House Bill No. 698, and the amendments were not adopted by the following vote: Yeas, 39; nays, 50; not voting, 9.

Voting yea: Representatives Barnes, Bausch, Becker, Bender, Boldt, Brown, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Gallagher, Hanna, Hawkins, Hendricks, Hurley G. S., Kalich, King, Laughlin, Martinis, McCormick, McKibbin, Moon, Moreau, North, Paris, Patterson, Perry, Randall, Savage, Sherman, Smith R., Sommers, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Bauer, Berentson, Blair, Bond, Ceccarelli, Charette, Chatalas, Curtis, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hurley M., Jastad, Jueling, Kilbury, Knowles, Kuehnle, Leckenby, Lee, Luders, Matthews, May, Nelson, Newhouse, O'Brien, Pardini, Parker, Polk, Schumaker, Seeberger, Shinpoch, Thompson, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Chandler, Deccio, Eng, Haussler, Lysen, Maxie, Peterson, Smith E. P.

House Bill No. 698 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 796, by Representatives Thompson and Hayner:

Providing for transfer of rental deposit with change of landlords.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 664, by Representatives Bauer, Sommers, Nelson, Douthwaite, Thompson, McCormick, Valle, McKibbin, Laughlin and Zimmerman:

Establishing minimum thermal insulation standards.

The bill was read the second time.

On motion of Mr. Bauer, Substitute House Bill No. 664 was substituted for House Bill No. 664, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 664 was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 3, section 4, line 20 after "space" insert ", double glazing with at least one-quarter inch air space"

Representatives Polk and Bauer spoke in favor of the amendment, and it was adopted.

On motion of Mr. Bauer, the following amendments were adopted:

On page 4, line 14 after "date." strike the remainder of the section.

On page 7, following line 34 insert a new section as follows:

"NEW SECTION. Sec. 12. This act shall not apply to existing buildings: PROVIDED, HOWEVER, That when existing buildings as defined in section 3 of this act are insulated, a certification card indicating

the location and 'R' values of the insulation installed shall be signed by the insulation installer and posted in a conspicuous location within the building."

Remember the remaining sections and correct the internal references.

Mr. Polk moved adoption of the following amendment:

On page 8, line 6 after "shall expire" strike "on June 30, 1977" and insert "at such time as the thermal insulation standards are amended to and incorporated in the Uniform Building Code and Related Standards, 1973 Edition, published by the International Conference of Building Officials"

Representatives Polk and Bauer spoke in favor of the amendment and it was adopted.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "I apologize for popping up with this at the last minute, but quickly glancing at the bill, particularly the language in section 3, which sets forth those instances in which the act shall become mandatory, it appears that it is not aimed at commercial buildings; it is not aimed at buildings of a temporary nature, but it appears that it would specifically include even part-time facilities, such as lake cottages, beach cottages, that type of thing, even though those facilities might only be designed for usage during a very limited period of time when the insulation requirements contained herein would add considerable cost and really wouldn't benefit anyone. I would like to know if it was your intent that we include that type of construction in this act?"

Mr. Bauer: "You are talking about residential, new construction?"

Mr. Kuehnle: "I'm talking about beach cottages and lake cottages, which could be new construction and which are dwelling units and which are designed for human occupancy but there isn't any provision here for such occupancies which are not designed for year-round use."

Mr. Bauer: "It would be my interpretation that they would be included. In fact, if they are residential in nature they would be included."

#### MOTION

Mr. Kuehnle moved that further consideration of the bill be deferred and it take its place on Monday's second reading calendar.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Bauer.

Mr. Bauer: "For what purpose are you asking this be held until Monday?"

Mr. Kuehnle: "For the purpose of amending section 3 to exclude residences designed for part-time occupancy. I think the concept here is excellent, except that I don't think we want to extend it to lake cabins which would just substantially increase those costs and, I think, unnecessarily. I'd like time to prepare and get together with you to prepare a proper amendment to handle that area."

Mr. Bauer spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Kuehnle to defer action on Substitute House Bill No. 664 and place it on Monday's second reading calendar, and the motion was carried by the following vote: Yeas, 77; nays 7; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Chatalas, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lysen, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Bausch, Charnley, Clemente, Lee, Moon, Nelson, Wojahn.

Not voting: Representatives Adams, Bond, Eikenberry, Eng, Greengo, Haussler, Knowles, Luders, Martinis, Peterson, Randall, Sherman, Wilson, and Mr. Speaker.

HOUSE BILL NO. 1035, by Representatives Kilbury, Savage, Charnley and Hawkins:

Removing nonapplication of environmental impact report to thermal power plant sites.

The bill was read the second time.

On motion of Mr. Kilbury, the following amendment by Representatives Kilbury and Charnley was adopted:

On page 1, line 9 after "statement" strike "is" and insert "((is)) has been previously"

House Bill No. 1035 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1141, by Representatives Gaines, Parker, Martinis, Sherman, North, Patterson, Dunlap, Freeman, Gilleland and Polk:

Providing for expedited decision regarding construction of highway between Bellevue and Seattle.

The bill was read the second time.

On motion of Mr. Gaines, Substitute House Bill No. 1141 was substituted for House Bill No. 1141, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1141 was read the second time.

Mr. Douthwaite moved adoption of the following amendment:  
Beginning on page 2 line 35 strike all of subsection (4).

Mr. Douthwaite spoke in favor of the amendment, and Mr. Perry spoke against it.

Mr. Douthwaite spoke again in favor of the amendment, and Representatives Perry and Polk spoke against it.

Mr. Pardini moved that the rules be suspended to allow Mr. Douthwaite the opportunity of speaking the third time in favor of his amendment, and the motion was not carried.

The amendment was not adopted.

Substitute House Bill No. 1141 was passed to Committee on Rules for third reading.

HOUSE JOINT MEMORIAL NO. 19, by Representatives Fortson, Perry, Hansey, North, Hansen, Martinis and Ceccarelli:

Memorializing the President and Congress not to change the line of demarcation for inland waters.

The memorial was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 209, by Representatives Martinis and Wilson:

Authorizing signs on school bus stop shelters.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Do pass as amended. (For amendment, see Journal, Twentieth Day, ex. sess., April 2, 1975.)

On motion of Mr. Martinis, the committee amendment was adopted.

House Bill No. 209 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 494, by Representatives Warnke, Bausch, O'Brien and Bauer:

Setting out standards for administration of medication to common school pupils and providing superintendent of public instruction recommend ratio of pupils to registered full-time school nurse.

The bill was read the second time.

On motion of Mr. Bauer, Substitute House Bill No. 494 was substituted for House Bill No. 494, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 494 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 521, by Representatives Charnley, Eikenberry, Wojahn, Sommers, Haley, Hendricks, Knowles, Kilbury, Hurley (George) and Cochran:

Making housing cooperative units eligible for the retired persons' property tax exemption.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 683, by Representatives Ceccarelli, Pardini and Chatalas:

Providing new regulations for banks and banking relating to illegal or unsound practices.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 687, by Representatives Hansen, Flanagan, Bauer, Kilbury and Lysen:

Providing for exemption of irrigation equipment from sales and use tax.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-sixth Day, February 27, 1975.)

On motion of Mr. Kilbury, the committee amendments were adopted.

House Bill No. 687 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 752, by Representatives Clemente and Hendricks:

Reaffirming permissible expenses school districts may expend preliminary to finalizing of budgets.

The bill was read the second time and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Thompson, the House adjourned until 10:00 a.m., Monday, April 28, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



**FORTY-SIXTH DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Monday, April 28, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representative Smith (Rick), who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Denise Whipple and John Schoultz. Prayer was offered by Reverend Jack Finney of Westminster United Presbyterian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

April 25, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 451,  
ENGROSSED HOUSE BILL NO. 486,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 25, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2130,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2560,  
ENGROSSED 2ND SUBSTITUTE SENATE BILL NO. 2628,  
ENGROSSED SENATE BILL NO. 2698,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 25, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 324,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

**INTRODUCTION AND FIRST READING**

HOUSE CONCURRENT RESOLUTION NO. 31, by Representatives Brown, Charnley, Thompson and King:

Authorizing introduction of a Memorial relating to South Viet Nam refugees.

To Committee on Rules

ENGROSSED SUBSTITUTE SENATE BILL NO. 2130, by Committee on Ecology (Originally sponsored by Senators Washington, Murray, Goltz and Guess):

Adding provisions for recovery and recycling to litter control and solid waste collection laws.

To Committee on Ecology

ENGROSSED SUBSTITUTE SENATE BILL NO. 2560, by Committee on Agriculture (Originally sponsored by Senators Jolly and Benitz):

Setting forth guidelines for agricultural water supply facilities.

To Committee on Agriculture

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2628, by Committee on Higher Education (Originally sponsored by Senators Sandison, Benitz, Guess, Scott and Goltz):

Enacting new law relating to regulation of postsecondary proprietary schools and their agents.

To Committee on Higher Education

SENATE BILL NO. 2698, by Senator Francis:

Permitting the director of public safety to appoint twelve persons to unclassified positions.

To Committee on Local Government

#### REPORTS OF STANDING COMMITTEES

April 23, 1975

HOUSE BILL NO. 496, Prime Sponsor: Representative Knowles, enacting the Juvenile Justice Act of 1975. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Gaspard, Hanna, Maxie, Sherman.

To Committee on Rules for second reading.

April 24, 1975

HOUSE BILL NO. 628, Prime Sponsor: Representative Bauer, providing for periodic adoption of a state comprehensive plan on school district organization by state board of education and for use thereof. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, at the beginning of line 30 after "the" strike all material down to and including "adopted by" on page 2, line 4 and insert "county prepared in conformance with RCW 28A.57.055 and submitted to the state board prior to September 1, ((1956, or, if the county committee found, after considering the factors listed in RCW 28A.57.055, that no changes in the school district organization of the county were needed, the)) 1975, and every five years thereafter: PROVIDED, That if, after considering the factors listed in RCW 28A.57.055, the county committee concludes that no changes are needed, a report to this effect shall be submitted to"

On page 4, beginning on line 19, strike all of section 2 and renumber the remaining section consecutively.

On page 1, line 4 of the title, after "28A.57.050" insert a period and strike the remainder of the title.

Signed by Representatives Clemente, Vice Chairman; Barnes, Bender, Boldt, Ehlers, Fortson, Haley, Hayner, Hendricks, Hurley (George), Valle.

To Committee on Rules for second reading.

April 24, 1975

SENATE BILL NO. 2309, Prime Sponsor: Senator Marsh, establishing concurrent jurisdiction between the United States and Washington to veterans hospitals located at Vancouver, Walla Walla, and American Lake. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Parker, Vice Chairman; Cochrane, Eng, Fischer, Fortson, Greengo, Haley, Hanna, Hendricks, Paris, Peterson, Whiteside.

To Committee on Rules for second reading.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Mr. Ceccarelli demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Smith (Rick).

MOTION

On motion of Mr. Charette, the absent member was excused, and the House proceeded with business under the Call of the House.

MOTION FOR RECONSIDERATION

Mr. Brown, having voted on the prevailing side, moved that the House do now reconsider the vote by which ENGROSSED HOUSE BILL NO. 707 failed to pass the House.

Representatives Brown, Hurley (Margaret) and Schumaker spoke in favor of the motion, and Representatives Savage and Hurley (George) spoke against it.

Mr. Clemente demanded an oral roll call and the demand was sustained.

Mr. Leckenby spoke in favor of the motion, and Mr. Bender spoke against it.

ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which Engrossed House Bill No. 707 failed to pass the House, and the motion was carried by the following vote: Yeas, 56; nays, 41; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Kilbury, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, McCormick, McKibbin, Nelson, Newhouse, North, Pardini, Patterson, Peterson, Polk, Randall, Schumaker, Seeberger, Tilly, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bausch, Becker, Bender, Boldt, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Greengo, Haley, Hanna, Hawkins, Hurley G. S., King, Knowles, Lysen, Maxie, May, Moon, Moreau, O'Brien, Paris, Parker, Perry, Savage, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, and Mr. Speaker.

Not voting: Representative Smith R.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of final passage of Engrossed House Bill No. 707.

Mr. Chatalas demanded an oral roll call and the demand was sustained.

Representatives Conner, Pardini and Lee spoke in favor of passage of the bill, and Representatives Savage, Hurley (George), Ehlers and Cochrane spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed House Bill No. 707, and the bill passed the House by the following vote: Yeas, 52; nays, 45; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Berentson, Blair, Bond, Ceccarelli, Chandler, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Kuehnle, Laughlin, Leckenby, Lee, Luders, Matthews, McCormick, McKibbin, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Randall, Schumaker, Seeberger, Tilly, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bausch, Becker, Bender, Boldt, Brown, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Greengo, Haley, Hanna, Hawkins, Hurley G. S., Kilbury, King, Knowles, Lysen, Martinis, Maxie, May, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Savage, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, and Mr. Speaker.

Not voting: Representative Smith R.

Engrossed House Bill No. 707, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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 AFTERNOON SESSION
 

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Smith (Rick), who was excused.

## SECOND READING

**SUBSTITUTE HOUSE BILL NO. 664**, by Representatives Bauer, Sommers, Nelson, Douthwaite, Thompson, McCormick, Valle, McKibbin, Laughlin and Zimmerman:

Establishing minimum thermal insulation standards.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, Forty-third Day ex. sess., April 25, 1975.)

Mr. Bauer moved adoption of the following amendment by Representatives Kuehnle and Bauer:

On page 2, section 3, line 25 following "this act" insert ": PROVIDED HOWEVER, That the provisions of this chapter shall not be applicable to single family dwellings designed for seasonal or intermittent occupancy"

Mr. Bauer spoke in favor of the amendment, and it was adopted.

Substitute House Bill No. 664 was ordered engrossed and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 792**, by Representatives Martinis, Bagnariol and Pardini:

Requiring certain reports relating to investments.

The bill was read the second time.

On motion of Mr. Pardini, Substitute House Bill No. 792 was substituted for House Bill No. 792, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 792 was read the second time.

On motion of Mr. Boldt, the following amendment by Representatives Boldt, Martinis and Charette was adopted:

On page 2, line 25 after "involved." insert "Any person who is not a citizen of the United States shall be exempt from the provisions of this section if such person acquires ownership or title to noncommercial real property having a value of one hundred thousand dollars or less with improvements thereon limited to a single family dwelling and appurtenances thereto and such improved real property is intended for and used exclusively as such person's principal personal residence: PROVIDED, That the exemption herein granted shall be revoked whenever such person ceases to utilize the improved real property as such person's principal personal residence."

Substitute House Bill No. 792 was ordered engrossed and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 818**, by Representatives Thompson, Berentson and Conner:

Providing regulations on removal of motor vehicles from private property.

The bill was read the second time.

On motion of Mr. Hansen, Substitute House Bill No. 818 was substituted for House Bill No. 818, and the substitute bill was placed on final passage.

Substitute House Bill No. 818 was read the second time.

On motion of Mr. Charnley, the following amendment was adopted:

On page 4, line 32 strike "2, 3 and 4" and insert "3, 4 and 5"

Substitute House Bill No. 818 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 825, by Representatives Bauer, McKibbin and Blair:

Changing amount authorized as deferred compensation for school employees.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, Twenty-first Day, ex. sess., April 3, 1975.)

On motion of Mr. Bauer, the committee amendment was adopted.

House Bill No. 825 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 830, by Representatives Blair, Deccio and Fischer:

Permitting variable interest rates on life insurance policy loans.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 971, by Representatives Randall, Pardini, Sommers and Newhouse:

Pertaining to taxation of leasehold interests.

The bill was read the second time.

#### MOTION

On motion of Mr. Thompson, further action on House Bill No. 971 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

The Speaker assumed the Chair.

HOUSE BILL NO. 975, by Representative McKibbin:

Requiring notice of nonrenewal of teachers' supplemental contract.

The bill was read the second time.

On motion of Mr. Bauer, Substitute House Bill No. 975 was substituted for House Bill No. 975, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 975 was read the second time.

Mr. Curtis moved adoption of the following amendment by Representatives Curtis and Hendricks:

On page 1, line 23 add new sections to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 28A.67 a new section to read as follows:

If a ballot measure requesting authorization to impose an excess millage levy for maintenance and operation has been twice submitted by the district to the voters of the district and has failed to receive voter approval for imposition, then and in that event, such local district may enter into employment contracts with certificated personnel, who have previously received nonrenewal notifications, on a month-to-month basis or any part thereof, and any such contract shall terminate automatically upon the date established by the terms of the contract without further action by either party and without further rights to or responsibilities upon either party: PROVIDED, That no contract entered into pursuant to this section shall give rise to any rights under RCW 28A.67.070 (conditions and contracts of employment).

NEW SECTION. Sec. 3. This 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."

#### POINT OF ORDER

Mr. Thompson: "Mr. Speaker, I challenge this amendment on the basis of scope and object."

Mr. Curtis: "The bill before us deals with teachers' supplemental contracts; the amendment that has been offered by Representative Hendricks and myself deals with a situation when a school district has lost their special levy twice and they have thus been confronted with the necessity of reducing or ridding some of their certificated faculty. If a school district were to meet those conditions, then our amendment would allow that school district to contract on a month-to-month basis with those teachers until such time as the problem of sufficient funding could be resolved. In my estimation that constitutes a supplemental contract and I would hope the Chair would consider that within the scope and object of the bill. In

addition to that, Mr. Speaker, I would very much appreciate the opportunity to discuss this issue on the floor of the House. Representative Hendricks and I offered it as one possible part of a possible solution to the school funding problem. We are all looking at and trying to find ways to solve this problem and it seems to me that if you look down the pike a little ways that maybe one of the things this House might want to do in this legislature is to put a temporary tax increase on the ballot this fall. Maybe we'd like the people to vote even on that. If that's the case, then you're asking the schools to open their doors in September betting on what's going to happen in the election later on in September or even in November. If that is the case and they have already had to riff some teachers then it seems to me they would want the opportunity to contract on a month-to-month basis. We offer this not as an enemy of the continuing contract, and not as an enemy of House Bill No. 975, but rather as one potential piece of a solution to this bigger problem that confronts us all. I just can't see that anything other than good healthy debate would benefit each and everyone of us."

#### SPEAKER'S RULING

The Speaker: "Representative Curtis, I think that this amendment does exceed the scope and object of this bill in that this bill is dealing with supplemental contracts and the amendment is going into another area of the teacher's contract field. I feel that this should be the subject matter of a separate bill. Therefore, I will rule it beyond the scope and object."

Substitute House Bill No. 975 was passed to Committee on Rules for third reading.

#### MOTION

Mr. Boldt moved that the House advance to the seventh order of business.

Representatives Boldt, McKibbin and Bender spoke in favor of the motion, and Representatives Pardini, Randall and Thompson spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to advance to the seventh order of business, and the motion was lost by the following vote: Yeas, 35; nays, 58; not voting, 5.

Voting yea: Representatives Bauer, Becker, Bender, Boldt, Brown, Chandler, Charnley, Clemente, Cochran, Douthwaite, Eng, Fischer, Fortson, Hanna, Hawkins, Hurley G.S., Laughlin, Lee, Lysen, Maxie, May, McKibbin, Moon, Moreau, Nelson, North, Patterson, Peterson, Savage, Seeberger, Sherman, Smith E.P., Sommers, Valle, Williams.

Voting nay: Representatives Adams, Amen, Barnes, Bausch, Berentson, Blair, Bond, Ceccarelli, Charette, Chatalas, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Leckenby, Martinis, Matthews, McCormick, Newhouse, O'Brien, Pardini, Paris, Parker, Perry, Polk, Randall, Schumaker, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman and Mr. Speaker.

Not voting: Representatives Bagnariol, Kalich, Luders, Shipoch, Smith R.

**HOUSE BILL NO. 1148**, by Representatives Erickson, Eikenberry and Williams:

Requiring property tax exemption applications every four years.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendment, see Journal, Twenty-first Day ex. sess., April 3, 1975.)

On motion of Mrs. Erickson, the committee amendment was adopted.

House Bill No. 1148 was ordered engrossed and passed to Committee on Rules for third reading.

**HOUSE BILL NO. 154**, by Representative Nelson:

Revising regulations on charitable solicitations.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment, see Journal, Twenty-eighth Day, ex. sess., April 10, 1975.)

On motion of Mr. Warnke, the committee amendment was adopted.

House Bill No. 154 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 351, by Representatives Warnke, Curtis, Zimmerman and Leckenby (by Department of Commerce and Economic Development request):

Revising the powers and duties of the department of commerce and economic development.

The bill was read the second time.

MOTION

On motion of Mr. Charette, further action on House Bill No. 351 was deferred and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 405, by Representatives Conner, Savage, King and Charette:

Prescribing a change in computation of weekly unemployment compensation benefit amounts.

The bill was read the second time.

MOTION

On motion of Mr. Charette, further action on House Bill No. 405 was deferred and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 409, by Representatives Barnes, Hansen, Haussler and Curtis:

Classifying electrician licenses as general and specialty.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 409 was substituted for House Bill No. 409, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 409 was read the second time.

Mr. Dunlap moved adoption of the following amendments:

On page 4, line 7 after "RCW 19.28.123" strike all material down to and including "without examination" on line 12

On page 4, line 33 after "electrical theory." insert "In the preparation of the written examinations the board shall include factors based on the consideration and evaluation of work experience; for such preparation the board shall consult with a wide variety of contractors, including the range of various types of contractors throughout the industry. In evaluating the qualifications of each applicant for issuance of a license, the written examination score shall be supplemented by a further score based on factors considering and evaluating the work experience of each applicant."

Mr. Dunlap spoke in favor of the amendments.

Mr. Conner demanded an electric roll call and the demand was sustained.

Representatives Hansen, Warnke and Deccio spoke against adoption of the amendments.

Mr. Barnes moved that the question be divided.

Representatives Barnes, Berentson and Newhouse spoke in favor of the motion to divide the question, and Representative Dunlap spoke against it.

The motion was lost.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Dunlap to Substitute House Bill No. 409, and the amendments were not adopted by the following vote: Yeas, 16; nays, 80; not voting, 2.

Voting yea: Representatives Blair, Chandler, Dunlap, Eikenberry, Freeman, Gilleland, Greengo, Haley, Leckenby, Matthews, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeburger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Luders, Smith R.

Substitute House Bill No. 409 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 457, by Representatives King, Savage, McKibbin, Becker, Moreau, May and Hanna:

Enacting a state labor-management relations act.

The bill was read the second time.

On motion of Mr. Savage, Substitute House Bill No. 457 was substituted for House Bill No. 457, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 457 was read the second time.

Mr. May moved adoption of the following amendment:

On page 25 after section 17, ending on line 26 insert the following:

"NEW SECTION. Sec. 18. It shall be unlawful for any employer to employ or cause to be employed any person who he knows or has reason to know has illegally entered the United States after deportation or is an alien otherwise residing illegally within the United States. An employer violating this section shall be guilty of a misdemeanor."

Remember the remaining sections consecutively.

Mr. May spoke in favor of the amendment, and Mr. Newhouse spoke against it.

#### POINT OF INQUIRY

Mr. May yielded to question by Mr. Tilly.

Mr. Tilly: "I was wondering if in your amendment the employer would include farm labor contractors? Who would be responsible there, the farm labor contractor or the farmer?"

Mr. May: "It would if he was illegally in the country and transporting people from Mexico or Canada. Then he would be an alien too in the same category as the noncitizen."

Mr. Tilly: "What I meant, the farm labor contractor is probably an American citizen, but if he recruited illegal aliens to work for him, would your amendment apply to the farm labor contractor or to the farmer?"

Mr. May: "It would be to the farmer."

Mr. Tilly: "It would not apply to the farm labor contractor?"

Mr. May: "Not that I know of; it wasn't intended that way."

Mr. Tilly spoke against adoption of the amendment.

#### MOTION

Mr. Pardini moved that the bill be rereferred to Committee on Ways and Means.

#### ROLL CALL

The Clerk called the roll on the motion to rerefer Substitute House Bill No. 457 to Committee on Ways and Means, and the motion was lost by the following vote: Yeas, 38; nays, 59; not voting, 1.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Folk, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Smith R.

The Speaker stated the question before the House to be the amendment by Representative May.

The amendment was adopted.

Mr. Newhouse moved adoption of the following amendment:

On page 22, section 15, line 21 insert a new subsection to read as follows:

"(1) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of section 9 (4)(a) (i), (ii) or (iii), or section 13 or section 9 (7) of this amendatory act, upon the



filing of such a charge with the board, whosoever is injured may petition any superior court of the county wherein such person resides or transacts business, for appropriate injunctive relief pending the final adjudication of the board with respect to such matter. Upon the filing of any such petition the superior court shall have jurisdiction to grant such injunctive relief or temporary restraining order as it deems just and proper, notwithstanding any other provision of law, but subject to the provisions in section 12 below."

Renumber the following subsections consecutively.

Mr. Newhouse spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Newhouse spoke again in favor of the amendment, and Mr. Matthews also spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to Substitute House Bill No. 457, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kuehnle, Laughlin, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Seeberger, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, King, Knowles, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Smith R.

Mr. Newhouse moved adoption of the following amendment:

On page 11, section 9, line 5 strike "thirty" and insert "five"

Mr. Newhouse spoke in favor of the amendment, and Mr. King spoke against it.

The amendment was not adopted.

Mr. Freeman moved adoption of the following amendment:

On page 26, line 31 insert a new section as follows:

"NEW SECTION. Sec. 24. There is hereby appropriated three-hundred and seventy-five thousand six-hundred and fifty-six dollars, or so much as may be necessary, to be used under the direction of chairman of the board for the purpose of paying the per diem and expenses of the commission, the salaries and fringe benefits of the employees of the commission, and any other expenses necessary to carry out the provisions of this act."

Representatives Freeman and Polk spoke in favor of the amendment, and Mr. King spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Freeman to Substitute House Bill No. 457, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kuehnle, Leckenby, Lee, Matthews, McCormick, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Smith R.

Mr. Tilly moved adoption of the following amendment:

On page 25, line 26 after section 18 insert a new section as follows:

"NEW SECTION. Sec. 19. It shall be unlawful for any farm labor contractor to violate the provisions of the immigration and nationality laws of the United States."

Renumber the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Tilly spoke again in favor of the amendment.

The amendment was not adopted.

Substitute House Bill No. 457 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Tuesday, April 29, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FORTY-SEVENTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 29, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Blair, Ceccarelli, Deccio, Flanagan, Greengo, Hurley (Margaret), Newhouse, O'Brien and Wojahn, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Patty Hallam and Jeff Shelby. Prayer was offered by Reverend Charles A. Loyer of Westminster United Presbyterian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE GOVERNOR

April 28, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 28, 1975, Governor Evans approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 87: Revising regulations on control of noxious weeds.  
HOUSE BILL NO. 377: Increasing certain fees and licenses for game and game fish.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

April 28, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have approved on this date SUBSTITUTE HOUSE BILL NO. 208 entitled:

"AN ACT Relating to the revision of rape laws."

This bill is the culmination of the commendable efforts of many citizens to update our antiquated rape laws and to assure that victims of rape are entitled to some basic rights of privacy and protection of reputation from indiscriminate and unwarranted defamation during trial of rape cases.

I have however, grave reservations on the effect of a floor amendment attached to the bill in the Senate. The intended purpose of the amendment was to set a three-year mandatory minimum term for first degree rape during which time an inmate would not be entitled to good time reduction of sentence or to participation in work release or furlough programs. As drafted, the amendment goes far beyond that, and prohibits an inmate, during the entire term of his sentence, from good time reduction and participation in the specified programs.

I am advised that the proponent of the amendment admits that this is the unintended consequence, and that remarks on the floor of the Senate during consideration of the amendment related to such prohibition only during the mandatory minimum three-year period. Knowing the full consequences of the amendment as drafted, it is highly probable that the amendment would not have been approved by the Senate, and if approved, would not have been accepted by the House.

My alternatives in acting on this bill have been considerably limited by the elimination of the item veto. I could veto the entire bill, but in doing so would negate the needed and positive portions of the bill as well as the hard work of all those who contributed in passing the bill. I could also veto the entire section 4 and advise the legislature in a veto message to take prompt corrective action. The risk of taking such action, which would eliminate from the

act both the definition of and punishment for first degree rape, is much too great in view of approaching adjournment of this legislative session and the chances that there would be no corrective action.

I have therefore decided to approve the bill, but I cannot overemphasize the need for immediate action to correct the language of the Senate amendment, which, if left unchanged, would be unjust and would further be highly counterproductive in removing all incentive from an inmate to rehabilitate and the chance to undergo a gradual and structured transition to life outside the institution.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

#### MESSAGE FROM THE SENATE

April 28, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2146,  
SUBSTITUTE SENATE BILL NO. 2713,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### SENATE AMENDMENTS TO HOUSE BILL

April 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 155 with the following amendments:

On line 5 of the title after "RCW 2.48.200" and before the period insert "; and declaring an emergency"

On page 4, after section 3 add the following:

"NEW SECTION. Sec. 4. This 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Seeberger, the House concurred in the Senate amendments to Engrossed House Bill No. 155.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Engrossed House Bill No. 155 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 155 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; nays, 2; not voting, 13.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Pardini.

Not voting: Representatives Blair, Ceccarelli, Deccio, Eikenberry, Flanagan, Greengo, Hurley M., Jueling, Lysen, Newhouse, O'Brien, Whiteside, Wojahn.

Engrossed House Bill No. 155 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

April 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 385 with the following amendment:

On page 1, line 8 after "sale:" insert "PROVIDED, That on July 1, 1977, the assessment of twenty cents per head shall be reduced to ten cents per head, and at that time the director may, following a hearing subject to the Administrative Procedures Act, RCW 34.04, increase the assessment to not more than twenty cents per head: PROVIDED FURTHER," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Kilbury, the House refused to concur in the Senate amendment to Engrossed House Bill No. 385, and asked the Senate to recede therefrom.

## MESSAGE FROM THE SENATE

April 24, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2074, except the amendment to page 1, line 29 which reads:

On page 1, line 29 before "secretary" strike "and" and insert "((and)) or" and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Haussler moved that the House do recede from the amendment to Senate Bill No. 2074.

Representatives Haussler and Kuehnle spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker (Mr. Charette presiding) stated the question before the House to be the final passage of Senate Bill No. 2074 without the House amendment to page 1, line 29.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2074 without the House amendment to page 1, line 29, and the bill passed the House by the following vote: Yeas, 71; nays, 15; not voting, 12.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Charette, Chatalas, Clemente, Conner, Curtis, Douthwaite, Dunlap, Erickson, Fischer, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Chandler, Charnley, Cochrane, Ehlers, Eng, Fortson, Hawkins, Hurley G. S., Juelling, Maxie, North, Pardini, Sherman, Smith R., Williams.

Not voting: Representatives Blair, Ceccarelli, Deccio, Eikenberry, Flanagan, Greengo, Hurley M., Lysen, Newhouse, O'Brien, Whiteside, Wojahn.

Senate Bill No. 2074 without the House amendment to page 1, line 29, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

April 25, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 278 with the following amendment:

On page 2, line 8 of the engrossed bill, being line 7 of the printed bill, after the period insert "The department shall purchase ambulance care by contract either on a 'fee for service' basis or at a reasonable cost based on a ratio of charges to cost. Any ambulance service when requested by the department shall supply such information as necessary to justify its rate charges, or costs. The department shall establish an

ambulance accounting and reimbursement system which recognizes relevant cost factors, including a reasonable rate of return on investment, in providing ambulance services generally. The contract with any ambulance service shall provide that no payment shall be made to the ambulance service if it does not permit inspection by the department of its vehicles, premises, and records, including financial records."  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Shinpoch moved that the House do not concur in the Senate amendment to Engrossed House Bill No. 278, and ask the Senate to recede therefrom.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Did I understand that your motion was that we do not concur with the Senate amendment and ask them to recede?"

Mr. Shinpoch: "That is correct."

Mr. Kuehnle: "On the basis of my very limited information on this subject, I think that the Senate amendment was an attempt to provide the capability for DSHS to contract for or pay for ambulance services offered by nongovernmental ambulance services—free enterprise-type services. Up to this time, as I understand it, there has been a flat fee of some sort which they have been paying and the amount has been relatively constant for a number of years, the result being that at the present time they just simply are losing money providing this ambulance service and as a consequence the ambulance service is not anxious to provide it. They need an increase in fees in order to make this service more readily available and at least allow them to break even. I think the intent of the Senate amendment is to correct that and allow reimbursement on a cost basis and it provides for inspection of the ambulance company's records, etc., in order to make a determination of that cost. If we do not concur with the Senate amendment, how are we going to approach the problem of at least allowing the ambulance operators to break even on the services they render for DSHS?"

Mr. Shinpoch: "As the bill passed out of Appropriations Committee, it did not consider that there was going to be a \$1,700,000 fiscal impact on it. I think before this body would want to accept a fiscal impact of that type we would want to look at that expenditure by itself, not as an amendment to a bill coming back to us from the Senate. On an expenditure of that magnitude, it's not good legislating to accept an amendment just because it was put on in the other house. I think we should study that problem separately."

Mr. Kuehnle: "Was this problem not studied by Ways and Means – Appropriations?"

Mr. Shinpoch: "Yes, it was and it was rejected—not as a portion of this bill, however, but as a portion of the regular appropriation process. The \$1,700,000 was not discussed as a portion of this bill, but as a portion of the regular appropriation process and it was rejected."

#### MOTION

On motion of Mr. Kuehnle, further action on Engrossed House Bill No. 278 was deferred.

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2146, by Senators Donohue, Buffington, Jolly and Ridder:

Establishing procedures for granting increases in firemen and police pension benefits.

To Committee on Ways and Means – Appropriations

SUBSTITUTE SENATE BILL NO. 2713, by Committee on Local Government (Originally sponsored by Senator Walgren):

Changing requirements for county road construction day labor contracts.

To Committee on Local Government

## REPORTS OF STANDING COMMITTEES

April 25, 1975

HOUSE BILL NO. 12, Prime Sponsor: Representative Conner, changing Viet Nam veterans' bonus laws. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 19 after "1973," insert "and who has been honorably separated or discharged from such service,"

On page 2, line 8 after "(Viet Nam):" insert "PROVIDED, HOWEVER, That persons otherwise eligible who have been continuously in said armed services for a period of five years or more immediately prior to August 5, 1964, shall not be eligible to receive compensation under the terms of this chapter, except that POW's, dependents of MIA's and survivors of those persons who have been continuously in said armed services for a period of five years or more immediately prior to August 5, 1964, shall be eligible to receive compensation under the terms of this chapter."

On page 4, following line 11 insert a new section as follows:

"NEW SECTION. Sec. 4. This 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."

On page 1, line 4 of the title after "73.34.090;" strike "and"

On page 1, line 6 of the title after "RCW 73.34.120" insert "; and declaring an emergency"

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson.

Rereferred to Committee on Ways and Means.

April 24, 1975

HOUSE BILL NO. 265, Prime Sponsor: Representative Warnke, consolidating the appropriation process for support of teachers' retirement benefits. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 18 after "~~28B-10-465~~" strike ") 41.32.480 (" and insert "~~41-32-480~~"

Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Boldt, Charette, Ehlers, Freeman, Gaspard, Matthews, McKibbin, Smith (Edward), Smith (Rick), Valle.

To Committee on Rules for second reading.

April 25, 1975

HOUSE BILL NO. 425, Prime Sponsor: Representative Perry, providing for enforcement of the state predetermined wage act. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 9 after "officer," strike "Each" and insert "Unless otherwise authorized by the department of labor and industries, each"

Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, Freeman, Gilleland, Haley, King, Matthews, May.

To Committee on Rules for second reading.

April 24, 1975

HOUSE BILL NO. 620, Prime Sponsor: Representative Maxie, authorizing certain supplemental payment survivors option under state universities retirement plans when employee otherwise eligible but died without exercising option. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 16 strike "his" and insert "the"

On page 2, line 20 strike "his"

Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Boldt, Charette, Ehlers, Flanagan, Freeman, Gaspard, Matthews, McKibbin, Smith (Edward), Smith (Rick), Valle.

To Committee on Rules for second reading.

April 25, 1975

HOUSE BILL NO. 623, Prime Sponsor: Representative Bagnariol, permitting department post-audits at reasonable intervals. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 9 strike "every two years or"

On page 1, line 10 after "determine" strike all material down to and including "years))" on line 11 and insert "but in each case an audit shall be conducted every ((two) five years"

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairwoman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin.

To Committee on Rules for second reading.

April 24, 1975

HOUSE BILL NO. 1050, Prime Sponsor: Representative Kilbury, making emergency appropriations for grain inspections. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendment by Committee on Agriculture:

On page 1, line 6 strike "three hundred fifty thousand" and insert "two hundred thirty thousand five hundred sixty-nine"

Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Boldt, Charette, Ehlers, Flanagan, Freeman, Gaspard, Matthews, McKibbin, Smith (Edward), Smith (Rick), Valle.

To Committee on Rules for second reading.

April 24, 1975

HOUSE BILL NO. 1075, Prime Sponsor: Representative Curtis, transferring certain state funds to the general fund. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do Pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Charette, Ehlers, Freeman, Gaspard, Matthews, McKibbin, Smith (Edward), Smith (Rick), Valle.

To Committee on Rules for second reading.

April 25, 1975

ENGROSSED SENATE BILL NO. 2070, Prime Sponsor: Senator Francis, revising regulations and payments to victims of crimes. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 2 after "case," strike "and" and insert "or"

On page 4, line 27 after "spouse" strike all material down to and including "child or" on line 28 and insert "has legal custody of one or more but not all of such"

On page 5, at the beginning of line 12 strike "who ((is))" and insert "((who is))"

On page 5, line 13 after "and" strike "who"

On page 7, line 29 after "inspection" and before "to" on line 30 strike "(((other than)))" and insert "(((other than))) : PROVIDED. That, except as limited by state or federal statutes or regulations, such information may be provided"

On page 7, line 31 after "PROVIDED" and before the comma insert "FURTHER"

On page 8, strike all material on lines 13, 14 and 15 and insert:

"Notwithstanding any other provision of law, all law enforcement, criminal justice, or other governmental agencies, or"

On page 9, line 29 after "children" insert "living or conceived"

On page 9, line 32 after "cease" strike all material down to and including "invalid child" on line 34 and insert "when such child is no longer a 'child' as defined in RCW 51.32.005, as now or hereafter amended,"

On page 10, after line 8 insert a new section as follows:

"NEW SECTION, Sec. 10. There is added to chapter 122, Laws of 1973 1st ex. sess. and to chapter 7.68 RCW a new section to read as follows:

The rights, privileges, responsibilities, duties, limitations and procedures contained in this chapter shall apply to those claims filed pursuant to RCW 7.68.160. In respect to such claims, the department shall proceed in the same manner and with the same authority as provided in this chapter with respect to those claims filed pursuant to RCW 7.68.060 as now or hereafter amended."

Renumber the remaining section consecutively.



Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Gaspard, Hanna, Hayner, Sherman.

To Committee on Rules for second reading.

April 28, 1975

SUBSTITUTE SENATE BILL NO. 2086, Original Prime Sponsor: Senator Marsh, changing certain laws relating to the guardianship of incompetents. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

April 28, 1975

SENATE BILL NO. 2297, Prime Sponsor: Senator Goltz, increasing the number of Whatcom county superior court judges to three. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Patterson, Sherman.

To Committee on Rules for second reading.

April 25, 1975

ENGROSSED SENATE BILL NO. 2416, Prime Sponsor: Senator Francis, changing requirements for foreclosing a deed of trust. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

- On page 1, section 1, line 21 after "state" insert ","
- On page 4, section 4, line 30 after "section" and before "of" strike "4(1)(g)" and insert "4(1)(f)"
- On page 4, section 4, line 33 after "section" and before "of" strike "4(1)(g)" and insert "4(1)(f)"
- On page 5, section 4, lines 6, 14 and 19 after "section" and before "of" strike "4(1)(g)" and insert "4(1)(f)"
- On page 5, section 4, beginning on line 23 strike all of the material in subsection (f)
- Renumber the remaining subsection consecutively
- On page 10, section 4, line 15 after "(2)" strike everything down to and including "(3)" on line 19 and insert "In addition to providing the grantor or his successor in interest in the manner provided in section 4(1)(f) of this 1975 amendatory act the notice as provided in section 4(1)(f) of this 1975 amendatory act, the beneficiary shall include with the notice in section 4(1)(f) of this 1975 amendatory act a statement to the grantor or his successor in interest in substantially the following form:

NOTICE OF FORECLOSURE

Pursuant to the Revised Code of Washington, Chapter 61.24, et seq.

The attached Notice of Sale is a consequence of your default in your obligation to . . . . ., the beneficiary of your Deed of Trust and holder of your Note. Unless you cure the default, your property will be sold at auction on the . . . . day of . . . . ., 19 . . . .

To cure your default, you must bring your payments current and pay accrued late charges and other costs and attorneys fees as set forth below by the . . . . day of . . . . ., 19 . . . . (10 days before sale date). To date, these arrears and costs are as follows:

	Currently due to	Amount that will be due to	
	reinstated	40 days	80 days
	[date]	[date]	[date]
Delinquent payments from the 1st day of . . . . ., 19 . . . . in the amount of:	\$ . . . .	\$ . . . .	\$ . . . .
Late charge for every delinquent dollar owed in the amount of:	\$ . . . .	\$ . . . .	\$ . . . .
Attorneys fees in the amount of:	\$ . . . .	\$ . . . .	\$ . . . .

Trustee's expenses in the amount of: [Itemization]	Estimated Costs	Estimated Costs
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
<b>TOTALS</b>	.....	.....

You may reinstate your Note and Deed of Trust at any time up to the ..... day of ....., 19.. (10 days before the sale date) by paying the amount as set forth above. Of course, each month that passes brings another monthly payment due, and such monthly payment and any late charge must be added to your reinstating payment. AFTER THE ..... DAY OF ....., 19.., (THE 80TH DAY), YOU MAY NOT REINSTATE YOUR DEED OF TRUST BY PAYING THE BACK PAYMENTS AND COSTS AND FEES AS OUTLINED ABOVE. In such a case, you will only be able to stop the sale by paying the total principal balance (\$.....) plus accrued interest, costs and advances, if any, made pursuant to the terms of the documents.

You may contest this default by initiating court action in the Superior Court of ..... County. In such action, you may raise any legitimate defenses you have to this default. You may also contest this sale in court by initiating court action. A copy of your Note and Deed of Trust are enclosed. You may wish to consult a lawyer. Legal action on your part may prevent or restrain the sale, but only if you persuade the court of the merits of your defense.

If you do not reinstate your Note and Deed of Trust by paying the amount demanded here, or if you do not succeed in restraining the sale by court action, your property will be sold to satisfy your obligations. The effect of such sale will be to deprive you and all those who hold by, through or under you of all interest in the property;

(3) Cause a copy of the notice as provided in section 4(1)(f) of this 1975 amendatory act to be published in a legal newspaper in each county in which the property or any part thereof is situated, once weekly during the four weeks preceding the time of sale;"

Renumber the remaining subsections consecutively.

On page 11, section 5, line 9 after "advantageous" and before "the" strike "postpone" and insert "continue"

On page 11, section 5, line 29 before "of" strike "4(5)" and insert "4(6)"  
On page 12, section 5, line 18 after "fees" and before "shall" insert "and the attorney's fees"  
On page 12, section 5, line 19 after "dollars" and before the period insert "without court approval"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Patterson, Sherman.

To Committee on Rules for second reading.

April 25, 1975

ENGROSSED SENATE BILL NO. 2434, Prime Sponsor: Senator Rasmussen, permitting the state finance committee to invest in paper secured by the sale or lease of equipment of a corporation located in the state. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin.

To Committee on Rules for second reading.

April 28, 1975

ENGROSSED SENATE BILL NO. 2904, Prime Sponsor: Senator Goltz, amending laws relating to the dairy commission and dairy products. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Becker, Vice Chairwoman; Boldt, Deccio, Flanagan, Hansen, Haussler, Laughlin.

To Committee on Rules for second reading.

POINT OF PARLIAMENTARY INQUIRY

Mr. Moon: "Mr. Speaker, five days ago the House Ways and Means - Revenue Committee passed and signed out House Bill No. 673 which authorizes the corporate franchise tax. To date that bill has not been reported out of committee. It's still listed on today's House status sheet as in House Ways and Means Committee, and I raise the point of inquiry as to why that bill hasn't been reported out of the committee and read in and assigned to the Rules Committee."

The Speaker (Mr. Charette presiding): "Representative Moon, the rules of the House provide that a bill such as House Bill No. 673 which has the fiscal impact that it has, must be reported out of the full Ways and Means Committee. Within the internal workings of that committee it has not had a hearing and been reported out by the full committee."

SECOND READING

MOTION

Mr. Thompson moved that HOUSE BILL NO. 971 be placed at the top of today's second reading calendar for immediate consideration.

Mr. Moon spoke against the motion.

Mr. Thompson withdrew his motion.

HOUSE BILL NO. 351, by Representatives Warnke, Curtis, Zimmerman and Leckenby (by Department of Commerce and Economic Development request):

Revising the powers and duties of the department of commerce and economic development.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 351 was substituted for House Bill No. 351, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 351 was read the second time.

Mr. Charnley moved adoption of the following amendment by Representatives Charnley and Sommers:

On page 4, following line 6 insert a new subsection as follows:

"(11) Accept contributions, grants or gifts in cash or otherwise from persons, associations, or corporations, such contributions to be disbursed in the same manner as money appropriated by the legislature: PROVIDED, That the donor of such gifts may stipulate the purpose for which they shall be expended."

Representatives Charnley and Sommers spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Charnley, your amendment says that the department may accept contributions, grants or gifts to be distributed in the same manner as money appropriated by the Legislature provided that the donor may stipulate the purpose. Does that mean that a person could make a grant of \$100,000 or so—or a private business—to the Department of Commerce and Economic Development and say to use this money in a certain manner and therefore kind of sideways get the endorsement of the state of Washington with the use of that money, even though it might not be a policy of the state?"

Mr. Charnley: "I can't do more than quote to you from the existing law and the existing law is exactly that language. That is the present law that is in RCW 43.31.140, which is the section we are deleting in the next amendment. I simply am restating that section into the new sections of this law to bring a total consistency and to make the whole total consistent. You are simply reading a section of law that is now in effect. I felt that it should be retained in this manner."

The amendment was adopted.

On motion of Mr. Charnley, the following amendments by Representatives Charnley and Sommers were adopted:

On page 4, following line 25 insert a new subsection as follows:

"(6) Section 43.31.140, chapter 8, Laws of 1965 and RCW 43.31.140;"

Renumber the remaining subsections consecutively.

On page 1, line 12 of the title after "43.31.130;" insert "repealing section 43.31.140, chapter 8, Laws of 1965 and RCW 43.31.140;"

Substitute House Bill No. 351 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 526, by Representatives Fortson, Brown and McKibbin (by Superintendent of Public Instruction request):

Giving added responsibility and authority to intermediate school districts.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Twenty-first Day ex. sess., April 3, 1975.)

On motion of Mr. Bauer, the committee amendments to page 1, line 12 and page 2, line 10 were adopted.

Mr. Bauer moved adoption of the committee amendment to page 2, line 22, adding a new section.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "The language of the last amendment which you addressed has the effect of putting words in the mouth of the State Board of Education and indicating that the Legislature feels that we should reduce the number of intermediate school districts. This may be well and good in some areas; in my area the intermediate school district we have now is so large that I don't think they can even find all the schools in it, and I am wondering if any of the thrust of this amendment and this language contained in the law would tend in any way to have the effect of increasing the size of some districts that are already too large?"

Mr. Bauer: "I suppose that's a possibility. You see, the State Board already has that authority; this would really give the legislative intent. As you know we are now financing ISD's out of the general fund. This transition has taken place incrementally over the last few years and is to be concluded by 1980, and with the Legislature providing by 1980 all the funds for the support of the ISD's it would seem reasonable that the Legislature would take the larger role in determining, or at least encouraging the State Board to make an up-to-date assessment of their function and make some recommendations."

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Inasmuch as you are closer to this area than any other member of this House, do you have any concern relative to this language which expresses as a foregone conclusion the fact that we should reduce the number of ISD's?"

Mr. Luders: "To the extent that the language of the amendment speaks in generalities, it doesn't seem likely to me that it would necessarily impact our area, in the event that the State Board were to take another look at it. We are already, in 101 in Eastern Washington, going beyond the geographical boundaries of the ISD's right now for a number of purposes—transportation for one and private school authorization for another—and so the district lines concept may or may not be valid in the future. What worries me is that as the Legislature absorbs more of the funding that it will sooner or later probably have to address the problem of what we are going to do in this area."

#### MOTION

On motion of Mr. Thompson, further action on House Bill No. 526 was deferred.

HOUSE BILL NO. 575, by Representatives Wojahn, Curtis and Warnke:

Permitting embargo of hazardous household substances.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, Twenty-seventh Day ex. sess., April 9, 1975.)

On motion of Mr. Warnke, the committee amendments were adopted.

House Bill No. 575 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 612, by Representatives Gallagher, Deccio and Wojahn:

Revising laws relating to accountants.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment, see Journal, Twenty-eighth Day, April 10, 1975.)

On motion of Mr. Warnke, the committee amendment was adopted.

House Bill No. 612 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 656, by Representatives O'Brien, Williams, Polk, Charnley, Paris, Sommers, Ceccarelli and North (by Executive request):

Authorizing a task force on cultural resources.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 656 was substituted for House Bill No. 656, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 656 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 744, by Representatives Lee, Hurley (Margaret), North, Paris, Randall, Gaines, Seeberger, Freeman and Curtis:

Authorizing the interagency committee on outdoor recreation to produce a state recreation guide.

The bill was read the second time.

On motion of Mr. Gaines, Substitute House Bill No. 744 was substituted for House Bill No. 744, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 744 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 780, by Representatives Fischer and Wojahn:

Establishing sickle cell disease testing and counseling program in the department of health.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 780 was substituted for House Bill No. 780, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 780 was read the second time and passed to Committee on Rules for third reading.

HOUSE CONCURRENT RESOLUTION NO. 22, by Representatives Hansey and Berentson:

Proposing coordinated traffic safety efforts.

The resolution was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 296, by Representative Sommers (by Department of Social and Health Services request):

Increasing petty cash account limit.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 296 was substituted for House Bill No. 296, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 296 was read the second time and passed to Committee on Rules for third reading.

## HOUSE BILL NO. 526:

The House resumed consideration of the bill on second reading.

The Speaker (Mr. Charette presiding) stated the question before the House to be the Committee on Education amendment to page 2, line 22 adding a new section.

Mr. Polk moved adoption of the following amendment to the committee amendment: Strike the last sentence which begins with "It is" and ends with "school districts."

Representatives Polk, Hayner and Luders spoke in favor of the amendment, and it was adopted.

The committee amendment as amended was adopted.

On motion of Mr. Bauer, the committee amendment to the title was adopted.

House Bill No. 526 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 378, by Representatives Moon, Pardini, Jastad, May, Haussler, Thompson, Douthwaite, Paris and Ceccarelli:

Prescribing procedures for the collection, analysis, and reporting of statistical information on file by the state fire marshal.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 378 was substituted for House Bill No. 378, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 378 was read the second time.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 13 following "gather" and before "statistical" insert "available"

Representatives Kuehnle and Sommers spoke in favor of the amendment, and Mr. Moon spoke against it.

Mr. Kuehnle spoke again in favor of the amendment, and Mr. Moon spoke again in opposition to it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle to Substitute House Bill No. 378, and the amendment was adopted by the following vote: Yeas, 44; nays, 41; not voting, 13.

Voting yea: Representatives Amen, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brown, Chandler, Curtis, Dunlap, Eikenberry, Eng, Erickson, Fortson, Freeman, Gilleland, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Juelling, Kilbury, Kuehnle, Laughlin, Leckenby, Matthews, May, McKibbin, North, Paris, Peterson, Polk, Randall, Schumaker, Smith R., Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bausch, Boldt, Charette, Charnley, Clemente, Cochran, Douthwaite, Ehlers, Fischer, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, King, Knowles, Lee, Luders, Lysen, Martinis, Maxie, McCormick, Moon, Moreau, Nelson, Pardini, Perry, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Thompson, Valle, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Blair, Ceccarelli, Chatalas, Conner, Deccio, Flanagan, Greengo, Hurley M., Newhouse, O'Brien, Parker, Patterson, Wojahn.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 18 following "shall" and before "furnish" insert "insofar as is practical,"

Representatives Kuehnle, Sommers and Hansen spoke in favor of the amendment, and Mr. Moon spoke against it.

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Thompson.

Mr. Thompson: "My question is directed toward your interpretation of the word 'practical.' Do you intend 'practical' should mean practical to the application of the purposes of this act, or 'practicable' insofar as the ability of the units to provide the information?"

Mr. Kuehnle: "Well, I have reference to the latter, Representative Thompson. In spite of Representative Moon's remarks, there are a lot of very small fire districts in this state that just

simply do not have the personnel to process all this paperwork. They are the type of district that Representative Hansen is talking about and so the intent of the amendment and the modifying language is to indicate that if it is practical for them to furnish this information they will do so; if it isn't practical, they are not absolutely mandated to do so."

Mr. Thompson: "Then you really mean by this amendment, 'practicable,' do you not?"

Mr. Kuehnle: "No."

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle to page 1, line 18 of Substitute House Bill No. 378, and the amendment was not adopted by the following vote: Yeas, 44; nays, 44; not voting, 10.

Voting yea: Representatives Amen, Barnes, Bauer, Becker, Berentson, Bond, Chandler, Curtis, Dunlap, Eikenberry, Eng, Erickson, Fortson, Freeman, Gilleland, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Jueling, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Matthews, McKibbin, North, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Smith R., Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bausch, Bender, Boldt, Brown, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Fischer, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, King, Lee, Lysen, Martinis, Maxie, May, McCormick, Moon, Moreau, Nelson, Pardini, Parker, Perry, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Thompson, Valle, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Blair, Ceccarelli, Deccio, Flanagan, Greengo, Hurley M., Newhouse, O'Brien, Wojahn.

Mr. Curtis moved adoption of the following amendment:

On page 1, line 30 following "Marshal" strike "may" and insert "shall"

Representative Curtis spoke in favor of the amendment, and Representatives Sommers and Leckenby spoke against it.

Mr. Curtis spoke again in favor of the amendment, and Representatives Moon and Hendricks spoke against it.

The amendment was not adopted.

Substitute House Bill No. 378 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 695, by Representatives Smith (Rick), Eikenberry, Charette, Newhouse and Hayner:

Clarifying filing and service requirements for enforcing liens.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 325, by Representatives O'Brien, Bausch and Warnke:

Licensing and regulating massage therapists.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 325 was substituted for House Bill No. 325, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 325 was read the second time.

Mr. Kuehnle moved adoption of the following amendment:

On page 2, line 33 after "cosmetology," and before "physical therapy" strike "barbering,"

Mr. Kuehnle spoke in favor of the amendment, and Mr. Warnke spoke against it.

POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Perhaps we have a matter of misinterpretation. I can understand the rationale of exempting from the licensing provisions of this act such people as doctors engaged in medicine, physical therapy, osteopathy, podiatry and nursing and all these things and the people working under their supervision. I think that it's just very logical that we should exempt from the provisions of this act those people—it would be ridiculous to require a physical therapist or an aide to one, or a podiatrist or an aide to one, or a chiropractor or

an aide to one, to require that they be licensed as massage therapists, but by including barbering we are saying that they don't have to get a license, the people who work under them don't have to get a license. Personally I don't know anyone who works under a barber doing anything that might legitimately be termed massage work. It's only the barber himself, and therefore if we leave barbering in (and I think if we took it out it isn't going to do a thing to the barbers, they can still do their scalp massage, which is all they are interested in doing) they could in fact hire and have in the back room massage therapists who are unlicensed and legitimately so. Do you not agree with that interpretation?"

Mr. Warnke: "No, I don't agree with your interpretation. Your point that no one works under a barber—I believe that under the barber licensing act (I wish the people were here that put the act through) that an apprenticed barber, a person just coming out of the barber school, must work for a skilled barber or a licensed barber for a certain period of time so they are under the direct supervision of a craft barber. That is why they—the same as cosmetology—are now giving facial massage; the barber is giving scalp massage. I think if you exempt them it does not speak to the point that we are concerned with and I think the interpretation here is clear. I'm just not concerned that we are, in fact, going to have fronts operating. That's what you are really directing to, that we will have fronts operating as barber shops and in the back room we will have massage parlors operating. I don't think that will work at all because of the licensing under a massage practitioner. If they are practicing massage they must have a license."

The amendment was not adopted.

Substitute House Bill No. 325 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1029, by Representatives Conner, Warnke, Eikenberry, Kalich, Wojahn and Gallagher:

Recognizing the Washington association of sheriffs and chiefs of police.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Twenty-fifth Day ex. sess., April 7, 1975.)

On motion of Mr. Smith (Rick), the committee amendments were adopted.

House Bill No. 1029 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

Mr. Thompson moved that HOUSE BILL NO. 1078 be placed on the second reading calendar immediately following House Bill No. 971, and that HOUSE BILL NO. 827 be placed immediately following House Bill No. 1078.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Working with Representative Thompson and with you, Mr. Speaker, in order to develop a schedule, I want to concur with the motion by Representative Thompson, but my point of inquiry is about the preparation of amendments to the public disclosure bill—House Bill No. 827. To what should we prepare amendments?"

The Speaker (Mr. Charette presiding): "Representative Pardini, the Speaker will direct your question to Representative King."

Mr. King: "The intent of Representative Brown and myself in presenting a floor amendment sponsored by King and Brown was to present to the Legislature one document which was, as far as we could tell, completely acceptable to the Committee on Open Government. It incorporates a series of amendments that would have to have been made on the floor and we would prefer to have amendments made to that floor amendment. Of course, that depends on the willingness of the Legislature to operate that way. It was our intent to give a basic document that would eliminate the necessity of about fifteen motions on the floor that were pretty well acceptable, of a technical nature, acceptable to the Committee on Open Government, supported by both Representative Brown and myself, so if it's possible to do so that's the way we would like to work this bill."



## POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "Can I take it from those comments that the Committee on Open Government has replaced the Committee on Constitution and Elections and that you do not intend to present the proposal of the Committee on Constitution and Elections?"

The Speaker (Mr. Charette presiding): "I don't think that question is in order."

Mr. Pardini: "Mr. Speaker, I'm asking on a point of parliamentary inquiry, what is going to be presented to this body—the recommendation of the Committee on Constitution and Elections or the Committee on Open Government?"

Mr. King: "The amendment by King and Brown is to the substitute bill and if this body turns it down then you'll have fifteen amendments by King and Brown to the substitute bill that came out of the Committee on Constitution and Elections."

Mr. Pardini: "Mr. Speaker, I'm not trying to be dilatory; there are several members preparing several amendments. The question I am raising of the Chair is to what should we prepare our amendments?"

The Speaker (Mr. Charette presiding): "Representative Pardini, in following up on your point of parliamentary inquiry, there is a House amendment to Substitute House Bill No. 827 which has been passed out to all of the members. If that floor amendment is presented, then the amendments would have to be presented to that floor amendment. I'm sure, as always in the past, there will be complete cooperation in making sure that each member of this House has an opportunity to present his amendments no matter to which vehicle it is."

Mr. Pardini: "If we prepare the amendments to Substitute House Bill No. 827 as proposed by the Committee on Constitution and Elections and those amendments are adopted, inasmuch as Representative King and Representative Brown and the Committee on Open Government have a striking amendment, it appears to me that the amendments would be for naught if their amendment were later adopted, because they strike and insert the whole bill."

The Speaker (Mr. Charette presiding): "I believe the House Rules would provide that the committee amendment would be presented and that committee amendment would then be perfected by the body before any striking amendment was presented. I think that is as much as the Speaker can say, except that, as in the past, each member of the House will have an opportunity to present his position."

## MOTION

Mr. Eikenberry moved that House Bill No. 827 be rereferred to Committee on Constitution and Elections.

## SPEAKER'S RULING (MR. CHARETTE PRESIDING)

The Speaker (Mr. Charette presiding): "The Speaker believes that there is a motion before us and that motion should be put first. The question before the House is the motion by Mr. Thompson that House Bill No. 1078 take its place immediately after House Bill No. 971 and that House Bill No. 827 take its place immediately following House Bill No. 1078 on the second reading calendar."

The motion was carried.

## MOTION

Mr. Eikenberry moved that House Bill No. 827 be rereferred to Committee on Constitution and Elections.

Representatives Eikenberry and Freeman spoke in favor of the motion, and Representatives King, Thompson and Brown spoke against it.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "The amendment you have proposed, by yourself and Representative Brown, does that incorporate the changes made by the Senate in the Senate version? Is it the Senate version of the public disclosure law?"

Mr. King: "No, it is not. It incorporates many of them, but it does not incorporate all of them. Each of the changes are listed in the booklet that is on your desks immediately after the amendment and following that is the substitute bill as it came out of the committee; behind that is the analysis telling what each section of the substitute bill deals with. Essentially what you have before you in the floor amendment is the substitute bill as it was presented to the Legislature minus the section requiring the publication of a pamphlet with the photographs of the lobbyists in it, and the addition of the amendments that are listed on the bill analysis right after the amendment. I think it should be relatively easy for the members to take a look at the format of that booklet and understand exactly what is before them."

Mr. Pardini spoke against the motion to rerefer the bill to committee.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Curtis.

Mr. Curtis: "Is it your intention, as chairman of the committee, when the bill is placed in front of us, to move the substitute bill or were you going to move that the substitute bill be not adopted?"

Mr. King: "What I would normally do would be to move the substitute bill and then to move the floor amendment to the substitute bill. The way this amendment is drafted, I would have to do that. The King/Brown amendment is an amendment to the substitute bill."

Mr. Curtis: "But it's a total striking amendment and you catch us in the crunch here, because those of us who want to prepare floor amendments must do so technically to the substitute bill. If those amendments are adopted and then later on when your amendment is offered, which is a striking amendment, those amendments will go out the window. What I would suggest, is for you to move the substitute bill, we'll prepare our amendments to that, we'll work our way through that and then when your striking amendment is offered, perhaps we can hold it over for another day so we can prepare amendments to that bill."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. King: "Would it be possible to not adopt the substitute bill and with the original bill before us, this amendment could be to the original bill and we could take care of the problem facing us?"

#### SPEAKER'S RULING (MR. CHARETTE PRESIDING)

The Speaker (Mr. Charette presiding): "If the substitute bill is not adopted by the House, the original bill would be before the House."

Mr. Eikenberry withdrew his motion to rerefer the bill to committee.

#### POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "The remarks that you made a moment ago indicated that the members should prepare their amendments to the King/Brown amendment to the substitute bill. My concern is that if we do that (and I'm sure there will be a number of those amendments prepared) then some of them will hang and others will not hang to the King/Brown amendment and ultimately, should the King/Brown amendment fail, then with it would be all of the amendments to that amendment failing. Therefore it would appear appropriate to me that the members should prepare their amendments to both the King/Brown amendment and to the substitute bill, if in fact, they want to be sure that their amendments are going to be duly considered. Wouldn't you agree with this?"

Mr. Eikenberry: "I would agree that your rhetorical question has some well-taken advice."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, if the King/Brown amendment is offered and we are to prepare our amendments to that amendment, then that effectively precludes anyone from offering an amendment to the amendment that any of us would be preparing to the King/Brown amendment, is that true?"

SPEAKER'S RULING (MR. CHARETTE PRESIDING)

The Speaker (Mr. Charette presiding): "I believe that's right under the House rules."

MOTION

Mr. Berentson moved that House Bill No. 827 be placed at the top of tomorrow's second reading calendar.

Representatives Berentson and King spoke in favor of the motion.

MOTION

Mr. Pardini moved that the rules be suspended, the King/Brown amendment to Substitute House Bill No. 827 be considered Second Substitute House Bill No. 827, and the second substitute bill be placed at the top of tomorrow's second reading calendar.

SPEAKER'S RULING (MR. CHARETTE PRESIDING)

The Speaker (Mr. Charette presiding): "The Speaker believes that your motion is out of order because that is of a lower rank than a motion to commit, recommit or postpone to a day certain."

Mr. Berentson withdrew his motion.

MOTION

Mr. Pardini moved that the rules be suspended, the King/Brown amendment to Substitute House Bill No. 827 be considered Second Substitute House Bill No. 827, and the second substitute bill be placed at the top of tomorrow's second reading calendar.

Mr. Thompson spoke in favor of the motion and the motion was carried.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Polk.

Mr. Polk: "The second substitute bill that we are now going to be considering tomorrow—does it differ other than technical additions from the bill that has been passed out by the Constitution and Elections Committee?"

Mr. King: "Yes. All of those explanations are in the booklet you have. There are about three substantive amendments and one of them was adopted by the Senate. The others are spelled out for you—there's a deletion, which is of a substantive nature, taking out the publication of a booklet that has photographs of the lobbyists; it includes language in here which is called to your attention which exempts per diem as well as legislative salary. Most of the amendments are spelled out in the bill analysis which is immediately after the bill."

HOUSE BILL NO. 1204, by Representatives Becker, Kilbury, Zimmerman and Tilly:

Relating to artificial honey products.

The bill was read the second time.

On motion of Mr. Kilbury, Substitute House Bill No. 1204 was substituted for House Bill No. 1204, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1204 was read the second time.

Mr. Kilbury moved adoption of the following amendment by Representatives Kilbury and Becker:

On page 2, line 8 strike section 3 and insert:

"NEW SECTION. Sec. 3. There is added to chapter 69.28 RCW a new section to read as follows:

Whenever the director shall find, or shall have probable cause to believe, that any honey or product subject to the provisions of this 1975 amendatory act is in intrastate commerce, which was introduced into such intrastate commerce in violation of the provisions of this 1975 amendatory act, he is hereby authorized to affix to such honey or product a notice placing an embargo on such honey or product, and prohibiting its sale in intrastate commerce, and no person shall move or sell such honey or product without first receiving permission from the director to move or sell such honey or product. But if, after such honey or product has been embargoed, the director shall find that such honey or product does not involve a violation of this 1975 amendatory act, such embargo shall be forthwith removed."

Mr. Kilbury spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Charnley.

Mr. Charnley: "My attention is gathered by the question of the statement of embargo. I wonder if you could give me any examples of the other areas or other commodities on which the state presently authorizes embargoes or authorizes officials to embargo such things?"

Mr. Kilbury: "Yes, in the Food, Drug and Cosmetic Act, Title 69, you'll find many embargo sections. We just passed an embargo section in House Bill No. 575 on hazardous substances. It appears in several areas of Title 16."

The amendment was adopted.

Substitute House Bill No. 1204 was ordered engrossed and passed to Committee on Rules for third reading.

## SIGNED BY THE SPEAKER

The Speaker (Mr. Charette presiding) announced that the Speaker had signed:

HOUSE BILL NO. 451,  
HOUSE BILL NO. 486.

## MOTION

On motion of Mr. Thompson, the House recessed until 1:30 p.m.

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 AFTERNOON SESSION
 

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The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Blair, Ceccarelli, Deccio, Greengo, Hurley (Margaret), O'Brien and Smith (Rick). Representatives Blair, Ceccarelli, Deccio, Greengo, Hurley (Margaret) and O'Brien were excused.

## SECOND READING

HOUSE BILL NO. 971, by Representatives Randall, Pardini, Sommers and Newhouse:

Pertaining to taxation of leasehold interests.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Twenty-sixth Day ex. sess., April 8, 1975.)

Mr. Randall moved adoption of the committee amendment to page 1.

On motion of Mr. Randall, the following amendment to the committee amendment by Representatives Randall and Sommers was adopted:

On page 2, section 2(2)(a) after "January 1, 1976" and before "; IV" insert "and such improvements shall be taxable to the sublessee as personal property"

Mr. Moon moved adoption of the following amendment to the committee amendment by Representatives Moon and Hawkins:

On page 8, section 13, strike all of subsections (5) and (6).

Renumber the remaining subsections consecutively.

## MOTION

On motion of Mr. Moon, the question was divided.

The Speaker stated the question before the House to be the amendment to the committee amendment, striking subsection (5).

Representatives Moon and Randall spoke in favor of the amendment to the committee amendment, and it was adopted.

The Speaker stated the question before the House to be the second part of the Moon/Hawkins amendment to the committee amendment striking subsection (6).

Mr. Moon moved adoption of the amendment and spoke in favor of it, and Mr. Randall spoke against it.

The amendment to the committee amendment was not adopted.

Mr. Moon moved adoption of the following amendment by Representatives Moon and Hawkins to the committee amendment:

On page 10, after section 17 insert a new section as follows:

"NEW SECTION. Sec. 18. In addition to any leasehold excise tax levied pursuant to sections 3 and 4 of this amendatory act, there is hereby imposed a leasehold excise tax surcharge on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest, in property which is located within any taxing district as defined in RCW 84.04.120: PROVIDED, That such tax shall be imposed only during those years in which an excess levy is collected within such taxing district as authorized by Article 7, section 2(a) of the state Constitution, as now or hereafter amended.

The surcharge shall be levied and collected in an amount equal to the value of the leasehold interest multiplied by the dollar per thousand rate of excess property tax authorized by the electorate of such taxing district.

Such surcharge shall be collected with the leasehold excise taxes in the manner provided by section 5 of this amendatory act. Such surcharge tax revenues shall be distributed by the department of revenue to the respective taxing districts."

Renumber the remaining sections consecutively.

Mr. Moon spoke in favor of the amendment, and Representatives Randall and Kuehnle spoke against it.

Mr. Moon again spoke in favor of the amendment to the committee amendment, and Mr. Randall again spoke against it.

The amendment was not adopted.

The Clerk read the following amendment to the Committee amendment by Representatives Moon and Hawkins:

On page 10, section 29, line 2 after "through" and before "of" strike "18" and insert "19"

With the consent of the House, Mr. Moon withdrew the amendment to the committee amendment.

The Speaker stated the question before the House to be the committee amendment as amended.

The committee amendment as amended was adopted.

On motion of Mr. Randall, the committee amendment to the title was adopted.

House Bill No. 971 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1078, by Representatives Martinis, Moreau, Kalich, Matthews and Wilson:

Revising the forest practices act.

The bill was read the second time.

On motion of Mr. Martinis, Substitute House Bill No. 1078 was substituted for House Bill No. 1078, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1078 was read the second time.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey and Berentson:

Strike all material after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 76.08 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definitions set forth in this section shall apply throughout this chapter.

(1) The term "department" means the department of natural resources.

(2) The term "owner" means the owner of any forest land.

(3) The term "adequate restocking or stocking" means a stand of not less than three hundred thrifty established live seedlings per acre of commercial species predominant on the area cut of which at least one hundred shall be well distributed, or not less than three hundred surviving trees per acre which were established by artificial means.

(4) The term "merchantable stand of timber" means any stand of timber consisting of not less than two thousand board feet per acre of currently merchantable live timber as measured by the Scribner Decimal C log rule, or three hundred cubic feet as measured by the Sorenson log rule, or four standard cords.

(5) The term "seed trees" means trees of commercial species that are sixteen inches or more in diameter breast high having a moderately dense live crown making up at least one-third of the total tree height. Seed trees must be thrifty and must be undamaged.

(6) The term "operator" means any person who engages in logging of timber for commercial purposes from any land within the state.

(7) The term "additional fire hazard" means an additional fire hazard as defined in RCW 76.04.010.

**NEW SECTION. Sec. 2.** There is added to chapter 76.08 RCW a new section to read as follows:

Keeping the forest land of this state continuously and fully productive is one of the most important steps toward perpetuation and conservation of its forest resources. One of the most important means of effectuating such public policy is to keep timber lands productive by seeking to maintain continuous growth of timber on all lands suitable for such purposes, and in order to accomplish this end it is necessary, and in the public interest, to prescribe certain rules of forest practices to be observed in the harvesting of timber.

**NEW SECTION. Sec. 3.** There is added to chapter 76.08 RCW a new section to read as follows:

Any bona fide owner or operator of land in the state supporting a merchantable stand of timber to be cut during the current calendar year must first obtain a written permit from the department.

To obtain such a permit, the owner or operator must make written application to the department submitting a map showing the area to be logged, legal description, and acreage. If the application is made by the operator, the department may require as a condition precedent to the issuance of a permit either that the operator secure from the owner and file with the department an agreement that the owner will be jointly responsible with the operator for carrying out the requirements of this chapter, or that the operator furnish a bond or other security satisfactory to the department to insure satisfactory compliance with this chapter.

Each application shall be signed by the owner or operator, and shall set forth the provisions of this chapter as to the responsibility of the owner or operator, and shall further state that the owner or operator is familiar with its provisions and agrees to abide thereby. All permits shall expire at the end of each calendar year but shall be renewable for another year upon written application of the owner, if there has been no violation of this chapter.

Any person operating without a permit as provided for herein shall be guilty of a misdemeanor, and each day of operation shall constitute a separate offense.

**NEW SECTION. Sec. 4.** There is added to chapter 76.08 RCW a new section to read as follows:

Every permittee shall, during the process of logging, take adequate precautions to leave reserve trees of commercial species deemed adequate under normal conditions to maintain continuous forest growth, or provide adequate stocking to insure future forest production. Every permittee, prior to cutting, shall plainly mark or otherwise designate required seed trees, or trees that are to be cut, or the boundaries of required seed blocks in a manner and at a time acceptable to the department and shall during the process of logging provide protection for reproduction of commercial species. In the conduct of logging operations and prior to and during slash disposal, proper precautions shall be taken and every reasonable effort made by the operator to protect residual stands and trees left uncut as a source of seed supply, from destruction by fire or unnecessary damage resulting from logging operations.

**NEW SECTION. Sec. 5.** There is added to chapter 76.08 RCW a new section to read as follows:

The provisions of this chapter shall be deemed to have been complied with in the area east of the summit of the Cascade mountains if the department finds that an additional fire hazard created by logging operations has been abated or five years have elapsed after completion of such logging, and there shall have been reserved a sufficient number of thrifty undamaged seedlings and/or trees to adequately stock the areas cut over or there shall have been left uncut seed trees of commercial species predominant in the stand that are sixteen inches in diameter or larger breast high outside the bark in a quantity sufficient to aggregate four thrifty seed trees per acre well distributed over each forty acre subdivision or portion thereof cut over by the permittee: PROVIDED, That the distance from seed trees to cut over areas that are not adequately stocked shall not be more than two hundred feet.

On areas which support stands other than Ponderosa pine the permittee may leave five percent of each forty-acre subdivision or portion thereof reserved and uncut and well stocked with thrifty commercial species predominant in the stand that are sixteen inches or more in diameter or are of a diameter representative of the stand harvested.

**NEW SECTION. Sec. 6.** There is added to chapter 76.08 RCW a new section to read as follows:

The provisions of this chapter shall be deemed to have been complied with in the area west of the summit of the Cascade mountains, if the department finds an additional fire hazard created by logging operations has been abated or five years have elapsed after completion of such logging, except ten years where fifty percent or more of the volume was cedar, and there has been reserved and left uncut not less than five percent of each quarter section, or lesser subdivision, well stocked with commercial coniferous trees not less than sixteen inches in diameter breast high outside the bark until such time as the area is adequately stocked by natural means. On areas that support stands where the average tree is less than sixteen inches in diameter the designated seed area left uncut shall be not less than five percent of each quarter section or lesser subdivision and shall be left untouched unless the entire subdivision is being cut on the basis of thinning for stand improvement. The foregoing may be accomplished by leaving marginal long

corners of timber between logged areas, or strips of timber across valleys, or along ridges and natural firebreaks, or by leaving staggered settings and uncut settings.

**NEW SECTION. Sec. 7.** There is added to chapter 76.08 RCW a new section to read as follows:

In the event that any owner or operator shall desire to adopt other practical methods than those contained in sections 5 and 6 of this act for providing for future forest growth within the meaning of section 4 of this act, including but not limited to artificial restocking or partial or selective cutting of the entire stand, said methods may be substituted in lieu of the provisions of sections 5 and 6 of this act, if approved by the department. Said plans shall be filed with the department previous to application for permit.

**NEW SECTION. Sec. 8.** There is added to chapter 76.08 RCW a new section to read as follows:

The department may employ a sufficient number of technically trained foresters as inspectors to enable it to maintain an inspection service deemed adequate to secure compliance with the provisions of this chapter. In the event that an owner or operator fails, refuses, or neglects to comply with the provisions of this chapter, the department may order the particular operation in which the violation occurs discontinued until the owner or operator gives satisfactory assurance that he will resume operations in compliance with the provisions of this chapter and furnishes cash deposit or bond in lieu thereof as fixed by the department, on the basis of not to exceed twenty-four dollars per acre for that portion of the area which through his failure to carry out the provisions of this chapter does not have sufficient source of seed to adequately restock the area. Such order may be enforced by injunction proceedings. The cash deposit or bond shall be furnished to insure that the owner or operator will artificially restock the area for which the money was collected within five years. If at the end of the five years the owner or operator has not artificially restocked the area, or the area has not become adequately restocked, the cash deposit shall be forfeited, or if the owner or operator has posted bond in lieu of making cash deposit he shall within thirty days after notification in writing by the department furnish the amount of money for which he posted bond. The department shall place this money in a special deposit fund of the state treasury to be used for artificially restocking the land on which the deposit was made. The department shall artificially restock the area within two years after the deposit was forfeited, using the money in the special deposit fund collected from the owner for that purpose. In the event that the full amount of money forfeited for any specified area is not required by the department to restock the area, the unexpended balance shall be returned to the depositor. Until compliance is so assured, the department shall also have power to prevent any new operation or operations in this state by the delinquent operator. If a violation occurs resulting from failure to provide adequate seed sources as provided in this chapter and a bond or cash deposit has not been furnished by the owner or operator and the area or any part thereof is not adequately restocked five years after cutting, then one year after written notice to the owner and operator to their last known address, and if such owner or operator has not adequately restocked the area, it shall be restocked by the department; however, the department shall not expend more than twenty-four dollars per acre in restocking such areas. Expenses reasonably incurred by the department in restocking the area may be recovered by the department from the owner and/or operator, and they shall constitute a lien upon the land restocked, which lien may be enforced in the same manner and with the same effect as a mechanics' lien.

**NEW SECTION. Sec. 9.** There is added to chapter 76.08 RCW a new section to read as follows:

The provisions of this chapter shall not be applicable where, upon application to the department, it has issued a permit for the removal of trees from lands best suited for purposes other than the growing of forest crops. Such permits shall be issued where removal is sought for any of the following purposes:

(1) To benefit the general health and increase the annual growth of residual stands of timber or for the purpose of removing dying or diseased trees;

(2) To clear the land upon which the trees are situated for bona fide mining, business, or residential purposes;

(3) To clear rights-of-way, landings, campsites, or firebreaks;

(4) To clear lands when classified as best suited for agricultural purposes on the basis of the best soils and land use information available.

(a) In the event of refusal by the department of a request for an agricultural permit the owner or operator may appeal to the board of land commissioners for a review of the request.

(b) If an agricultural permit is granted on forest land by the board of land commissioners, the department may cause an inspection to be made at the end of five years after cutting. If no attempt has been made to place the area in agricultural use and it has not restocked with commercial coniferous species it shall be replanted by the department or the owner. If planted by the department, the costs of planting shall not exceed the amount specified in section 8 of this act and shall constitute a lien in favor of the state of Washington upon the land therefor, which lien shall be perfected and enforced in the same manner and with the same effect as a mechanics' lien.

**NEW SECTION. Sec. 10.** The following acts or parts of acts are each hereby repealed:

(1) Sections 1 through 29 and 31 through 37, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.010 through 76.09.280, 76.09.900, 76.09.905, 76.09.910, 76.09.915, 76.09.920, 76.09.925, 76.09.930, and 76.09.935; and

(2) Section 30, chapter 137, Laws of 1974 ex. sess. and RCW 90.48.420.

**NEW SECTION. Sec. 11.** If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. This 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."

Mr. Hansey spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Kalich yielded to question by Mr. Schumaker.

Mr. Schumaker: "You were aware, of course, that during our committee work on these amendments, Representative Haussler and I presented an amendment and the general text of that amendment as I saw it would have considerable to do with whether or not I could vote for this repealer. My understanding was, although it was not specifically spelled out in language, that we were putting an 11-member board in position instead of the 9-member board and in so doing we were getting things in shape to give the small forest wood lot owners a commission member and also the small logging contractors a commission member. Am I correct in this assumption?"

Mr. Kalich: "Yes, you are correct, Representative Schumaker. The thing is that we could not tie it down. We worked closely with the Governor's office and the Governor's aides on what he would accept and would not accept. He didn't want to be tied down to this, but I have confidence in the Governor that he is going to appoint two members of this category on the 11-member board."

Representatives Conner and Berentson spoke in favor of the amendment, and Representatives Kalich and Charette spoke against it.

#### POINT OF INQUIRY

Mr. Kalich yielded to question by Mr. Amen.

Mr. Amen: "You mentioned about the permits not being so hard to get; how long does it take before you do get the permits?"

Mr. Kalich: "Right now it would be 30 days, but under the new law it would be 14 days and we could actually start sooner. A small logging operation could start quicker than that."

Mr. Amen: "You have received that permit in that time?"

Mr. Kalich: "Yes. You have to remember that most of the loggers are going to start ahead of time on this permit. You are going to put in ahead of time if you know you are going to log a piece."

Mr. Amen: "I've heard comments that the small owner of forest lands can't live up to the reforestation portion of this. Is this so?"

Mr. Kalich: "Well, I think the reforestation portion is going to make it more difficult than we've had it before, but we still have three years to do it and if we want to change the use of the land we can put in an application to do that—farming or something else."

Mr. Amen: "The liability portion of it is not so strict that you can still survive?"

Mr. Kalich: "Not as I interpret it."

Mr. Pardini demanded an electric roll call and the demand was sustained.

Mr. Bond spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hansey and Berentson to Substitute House Bill No. 1078, and the amendment was not adopted by the following vote: Yeas, 17; nays, 73; not voting, 8.

Voting yea: Representatives Barnes, Berentson, Bond, Brown, Conner, Curtis, Eikenberry, Flanagan, Fortson, Hansen, Hansey, Hayner, Kuehne, Moreau, Nelson, Schumaker, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Chandler, Charette, Charmley, Chatalas, Clemente, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Newhouse, North, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.



Not voting: Representatives Blair, Ceccarelli, Cochrane, Deccio, Greengo, Hurley M., O'Brien, Smith R.

Mr. Conner moved adoption of the following amendment:

Strike all material after the enacting clause and insert the following:

**NEW SECTION.** Section 1. There is added to chapter 76.08 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definitions set forth in this section shall apply throughout this chapter.

(1) The term "department" means the department of natural resources.

(2) The term "owner" means the owner of any forest land.

(3) The term "adequate restocking or stocking" means a stand of not less than three hundred thrifty established live seedlings per acre of commercial species predominant on the area cut of which at least one hundred shall be well distributed, or not less than three hundred surviving trees per acre which were established by artificial means.

(4) The term "merchantable stand of timber" means any stand of timber consisting of not less than two thousand board feet per acre of currently merchantable live timber as measured by the Scribner Decimal C log rule, or three hundred cubic feet as measured by the Sorenson log rule, or four standard cords.

(5) The term "seed trees" means trees of commercial species that are sixteen inches or more in diameter breast high having a moderately dense live crown making up at least one-third of the total tree height. Seed trees must be thrifty and must be undamaged.

(6) The term "operator" means any person who engages in logging of timber for commercial purposes from any land within the state.

(7) The term "additional fire hazard" means an additional fire hazard as defined in RCW 76.04.010.

**NEW SECTION.** Sec. 2. There is added to chapter 76.08 RCW a new section to read as follows:

Keeping the forest land of this state continuously and fully productive is one of the most important steps toward perpetuation and conservation of its forest resources. One of the most important means of effectuating such public policy is to keep timber lands productive by seeking to maintain continuous growth of timber on all lands suitable for such purposes, and in order to accomplish this end it is necessary, and in the public interest, to prescribe certain rules of forest practices to be observed in the harvesting of timber.

**NEW SECTION.** Sec. 3. There is added to chapter 76.08 RCW a new section to read as follows:

Any bona fide owner or operator of land in the state supporting a merchantable stand of timber to be cut during the current calendar year must first obtain a written permit from the department.

To obtain such a permit, the owner or operator must make written application to the department submitting a map showing the area to be logged, legal description, and acreage. If the application is made by the operator, the department may require as a condition precedent to the issuance of a permit either that the operator secure from the owner and file with the department an agreement that the owner will be jointly responsible with the operator for carrying out the requirements of this chapter, or that the operator furnish a bond or other security satisfactory to the department to insure satisfactory compliance with this chapter.

Each application shall be signed by the owner or operator, and shall set forth the provisions of this chapter as to the responsibility of the owner or operator, and shall further state that the owner or operator is familiar with its provisions and agrees to abide thereby. All permits shall expire at the end of each calendar year but shall be renewable for another year upon written application of the owner, if there has been no violation of this chapter.

Any person operating without a permit as provided for herein shall be guilty of a misdemeanor, and each day of operation shall constitute a separate offense.

**NEW SECTION.** Sec. 4. There is added to chapter 76.08 RCW a new section to read as follows:

Every permittee shall, during the process of logging, take adequate precautions to leave reserve trees of commercial species deemed adequate under normal conditions to maintain continuous forest growth, or provide adequate stocking to insure future forest production. Every permittee, prior to cutting, shall plainly mark or otherwise designate required seed trees, or trees that are to be cut, or the boundaries of required seed blocks in a manner and at a time acceptable to the department and shall during the process of logging provide protection for reproduction of commercial species. In the conduct of logging operations and prior to and during slash disposal, proper precautions shall be taken and every reasonable effort made by the operator to protect residual stands and trees left uncut as a source of seed supply, from destruction by fire or unnecessary damage resulting from logging operations.

**NEW SECTION.** Sec. 5. There is added to chapter 76.08 RCW a new section to read as follows:

The provisions of this chapter shall be deemed to have been complied with in the area east of the summit of the Cascade mountains if the department finds that an additional fire hazard created by logging operations has been abated or five years have elapsed after completion of such logging, and there shall have been reserved a sufficient number of thrifty undamaged seedlings and/or trees to adequately stock the areas cut over or there shall have been left uncut seed trees of commercial species predominant in the stand that are sixteen inches in diameter or larger breast high outside the bark in a quantity sufficient to aggregate four thrifty seed trees per acre well distributed over each forty acre subdivision or portion thereof cut over by the permittee: PROVIDED, That the distance from seed trees to cut over areas that are not adequately stocked shall not be more than two hundred feet.

On areas which support stands other than Ponderosa pine the permittee may leave five percent of each forty-acre subdivision or portion thereof reserved and uncut and well stocked with thrifty commercial species predominant in the stand that are sixteen inches or more in diameter or are of a diameter representative of the stand harvested.

**NEW SECTION.** Sec. 6. There is added to chapter 76.08 RCW a new section to read as follows:

The provisions of this chapter shall be deemed to have been complied with in the area west of the summit of the Cascade mountains, if the department finds an additional fire hazard created by logging operations has been abated or five years have elapsed after completion of such logging, except ten years where fifty percent or more of the volume was cedar, and there has been reserved and left uncut not less than five percent of each quarter section, or lesser subdivision, well stocked with commercial coniferous trees not less than sixteen inches in diameter breast high outside the bark until such time as the area is adequately stocked by natural means. On areas that support stands where the average tree is less than sixteen inches in diameter the designated seed area left uncut shall be not less than five percent of each quarter section or lesser subdivision and shall be left untouched unless the entire subdivision is being cut on the basis of thinning for stand improvement. The foregoing may be accomplished by leaving marginal long corners of timber between logged areas, or strips of timber across valleys, or along ridges and natural firebreaks, or by leaving staggered settings and uncut settings.

**NEW SECTION.** Sec. 7. There is added to chapter 76.08 RCW a new section to read as follows:

In the event that any owner or operator shall desire to adopt other practical methods than those contained in sections 5 and 6 of this act for providing for future forest growth within the meaning of section 4 of this act, including but not limited to artificial restocking or partial or selective cutting of the entire stand, said methods may be substituted in lieu of the provisions of sections 5 and 6 of this act, if approved by the department. Said plans shall be filed with the department previous to application for permit.

**NEW SECTION.** Sec. 8. There is added to chapter 76.08 RCW a new section to read as follows:

The department may employ a sufficient number of technically trained foresters as inspectors to enable it to maintain an inspection service deemed adequate to secure compliance with the provisions of this chapter. In the event that an owner or operator fails, refuses, or neglects to comply with the provisions of this chapter, the department may order the particular operation in which the violation occurs discontinued until the owner or operator gives satisfactory assurance that he will resume operations in compliance with the provisions of this chapter and furnishes cash deposit or bond in lieu thereof as fixed by the department, on the basis of not to exceed twenty-four dollars per acre for that portion of the area which through his failure to carry out the provisions of this chapter does not have sufficient source of seed to adequately restock the area. Such order may be enforced by injunction proceedings. The cash deposit or bond shall be furnished to insure that the owner or operator will artificially restock the area for which the money was collected within five years. If at the end of the five years the owner or operator has not artificially restocked the area, or the area has not become adequately restocked, the cash deposit shall be forfeited, or if the owner or operator has posted bond in lieu of making cash deposit he shall within thirty days after notification in writing by the department furnish the amount of money for which he posted bond. The department shall place this money in a special deposit fund of the state treasury to be used for artificially restocking the land on which the deposit was made. The department shall artificially restock the area within two years after the deposit was forfeited, using the money in the special deposit fund collected from the owner for that purpose. In the event that the full amount of money forfeited for any specified area is not required by the department to restock the area, the unexpended balance shall be returned to the depositor. Until compliance is so assured, the department shall also have power to prevent any new operation or operations in this state by the delinquent operator. If a violation occurs resulting from failure to provide adequate seed sources as provided in this chapter and a bond or cash deposit has not been furnished by the owner or operator and the area or any part thereof is not adequately restocked five years after cutting, then one year after written notice to the owner and operator to their last known address, and if such owner or operator has not adequately restocked the area, it shall be restocked by the department; however, the department shall not expend more than twenty-four dollars per acre in restocking such areas. Expenses reasonably incurred by the department in restocking the area may be recovered by the department from the owner and/or operator, and they shall constitute a lien upon the land restocked, which lien may be enforced in the same manner and with the same effect as a mechanics' lien.

**NEW SECTION.** Sec. 9. There is added to chapter 76.08 RCW a new section to read as follows:

The provisions of this chapter shall not be applicable where, upon application to the department, it has issued a permit for the removal of trees from lands best suited for purposes other than the growing of forest crops. Such permits shall be issued where removal is sought for any of the following purposes:

(1) To benefit the general health and increase the annual growth of residual stands of timber or for the purpose of removing dying or diseased trees;

(2) To clear the land upon which the trees are situated for bona fide mining, business, or residential purposes;

(3) To clear rights-of-way, landings, campsites, or firebreaks;

(4) To clear lands when classified as best suited for agricultural purposes on the basis of the best soils and land use information available.

(a) In the event of refusal by the department of a request for an agricultural permit the owner or operator may appeal to the board of land commissioners for a review of the request.

(b) If an agricultural permit is granted on forest land by the board of land commissioners, the department may cause an inspection to be made at the end of five years after cutting. If no attempt has been

made to place the area in agricultural use and it has not restocked with commercial coniferous species it shall be replanted by the department or the owner. If planted by the department, the costs of planting shall not exceed the amount specified in section 8 of this act and shall constitute a lien in favor of the state of Washington upon the land therefor, which lien shall be perfected and enforced in the same manner and with the same effect as a mechanics' lien.

**NEW SECTION.** Sec. 10. The provisions of sections 1 through 37, chapter 137, Laws of 1974 ex. sess. and chapter 76.09 RCW and RCW 90.48.420 shall be totally suspended and held in abeyance until January 1, 1976, except that obligations under such provisions of law or permits issued thereunder and in effect on the effective date of this section shall continue in full force and effect, and no liability thereunder, civil or criminal, shall be in any way modified: **PROVIDED**, That proceedings instituted and actions begun under such provisions shall be completed, insofar as practicable, pursuant to sections 1 through 9 of this act. On January 1, 1976, such provisions shall resume their full force and effect.

**NEW SECTION.** Sec. 11. Sections 1 through 9, chapter \_\_\_ (Engrossed Substitute House Bill No. 1078), Laws of 1975 1st ex. sess. and RCW 76.08. \_\_\_ through 76.08. \_\_\_ are each hereby repealed.

**NEW SECTION.** Sec. 12. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 13. Sections 1 through 10 and 12 of this act are 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, and section 11 of this act shall take effect January 1, 1976."

Mr. Hansey moved adoption of the following amendment to the Conner amendment:

On page 7, section 13 strike all of section 13 and insert:

"**NEW SECTION.** Sec. 13. Sections 1 through 10 and 12 of this act are 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, and section 11 of this act shall take effect two years after the effective date of such other sections of this act."

The amendment to the amendment was not adopted.

The Speaker stated the question before the House to be the Conner amendment.

Mr. Conner spoke in favor of the amendment, and Mr. Martinis spoke against it.

Mr. Conner demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Conner to Substitute House Bill No. 1078, and the amendment was not adopted by the following vote: Yeas, 19; nays, 72; not voting, 7.

Voting yea: Representatives Barnes, Berentson, Bond, Conner, Curtis, Flanagan, Fortson, Haley, Hansen, Hansey, Hayner, Hendricks, Kuehnl, Moon, Moreau, Nelson, Paris, Schumaker, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Haussler, Hawkins, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Newhouse, North, Pardini, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoche, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Ceccarelli, Deccio, Greengo, Hurley M., O'Brien, Smith R.

Substitute House Bill No. 1078 was passed to Committee on Rules for third reading.

**SENATE JOINT MEMORIAL NO. 110**, by Senators Sandison, Peterson, Benitz and Morrison:

Memorializing Congress to exempt duck hunting from requirements of federal environmental policy act.

The memorial was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, Twenty-second Day ex. sess., April 4, 1975.)

On motion of Mr. Martinis the committee amendment was adopted.

Senate Joint Memorial No. 110 as amended by the House was passed to Committee on Rules for third reading.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2125**, by Committee on Natural Resources (Originally sponsored by Senators Donohue, Peterson and Matson):

Authorizing alteration of streams by riparian owners in cases of emergency.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, Thirty-sixth Day ex. sess., April 18, 1975.)

On motion of Mr. Martinis, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2125 as amended by the House was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2125 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Bond, Brown, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Blair, Ceccarelli, Cochrane, Deccio, Greengo, Hurley M., King, Smith R.

Engrossed Substitute Senate Bill No. 2125 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 2183**, by Committee on Commerce (Originally sponsored by Senator Day - by Department of Motor Vehicles request):

Providing for the establishment of fees for businesses and professions.

The bill was read the second time and passed to Committee on Rules for third reading.

**ENGROSSED SENATE BILL NO. 2218**, by Senators Talley and Goltz:

Providing a maximum limit for port district work contracts without bids.

The bill was read the second time.

#### MOTION

On motion of Mr. Thompson, further action on Engrossed Senate Bill No. 2218 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 155.

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Wednesday, April 30, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**FORTY-EIGHTH DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Wednesday, April 30, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Diane Brager and Jerry Gliva. Prayer was offered by Reverend Charles A. Loyer of Westminster United Presbyterian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGE FROM THE SENATE**

April 28, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2692,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2736,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

**INTRODUCTION AND FIRST READING**

ENGROSSED SUBSTITUTE SENATE BILL NO. 2692, by Committee on Local Government (Originally sponsored by Senators Fleming, Ridder and Talley):

Establishing standards for making buildings and facilities accessible to and usable by physically disabled persons.

To Committee on Local Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard and Newschwander):

Making certain corrections and adjustments in the tax laws.

To Committee on Ways and Means - Revenue

**REPORTS OF STANDING COMMITTEES**

April 29, 1975

HOUSE BILL NO. 867, Prime Sponsor: Representative Bagnariol, relating to appropriations. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ways and Means - Appropriations.

April 25, 1975

HOUSE BILL NO. 996, Prime Sponsor: Representative Conner, authorizing sports pools. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Dunlap, Gaines, Greengo, Kuehnle, Wojahn.

To Committee on Rules for second reading.

April 28, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2408, Prime Sponsor: Senator Grant, establishing the public employment relations commission. Reported by Committee on Labor.

**MAJORITY recommendation: Do pass with the following amendments:**

Strike all of the bill after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. (1) It is the intent of the legislature by the adoption of sections 1 through 31 of this 1975 amendatory act to provide, in the area of public employment, for the more uniform and impartial (a) adjustment and settlement of complaints, grievances, and disputes arising out of employer-employee relations and, (b) selection and certification of bargaining representatives by transferring jurisdiction of such matters to the public employment relations commission from other boards and commissions. It is further the intent of the legislature, by such transfer, to achieve more efficient and expert administration of public labor relations administration and to thereby ensure the public of quality public services.

(2) Nothing contained in sections 1 through 31 of this 1975 amendatory act shall be construed to alter any existing collective bargaining unit or the provisions of any existing bargaining agreement.

(3) Nothing contained in sections 1 through 31 of this 1975 amendatory act shall be construed to alter any power or authority regarding the scope of collective bargaining in the employment areas affected by sections 1 through 31 of this 1975 amendatory act, but sections 1 through 31 of this 1975 amendatory act shall be construed as transferring existing jurisdiction and authority to the public employment relations commission.

(4) Nothing contained in sections 1 through 31 of this 1975 amendatory act shall be construed to prohibit the consideration or adjustment of complaints or grievances by the public employer.

**NEW SECTION.** Sec. 2. (1) There is hereby created the public employment relations commission (hereafter called the "commission") to administer the provisions of this chapter. The commission shall consist of three members who shall be citizens appointed by the governor by and with the advice and consent of the senate: **PROVIDED,** That no member appointed when the legislature was not in session shall continue to be a member of the commission after the thirtieth day of the next legislative session unless his appointment shall have been approved by the senate. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. Commission members shall be eligible for reappointment. The governor shall designate one member to serve as chairman of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(2) No person may be appointed, reappointed, or continue to serve as a member of the commission who is employed by the state or any agency or subdivision thereof, or who is employed by an association of persons employed by the state or any agency or subdivision thereof.

(3) In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons knowledgeable in the area of labor relations in the state.

(4) A vacancy in the commission shall not impair the right of the remaining members to exercise all of the powers of the commission, and two members of the commission shall, at all times, constitute a quorum of the commission.

(5) The commission shall at the close of each fiscal year make a report in writing to the legislature and to the governor stating the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

**NEW SECTION.** Sec. 3. (1) Each member of the commission shall be paid fifty dollars for each day in which he has actually attended a meeting of the commission officially held. The members of the commission may receive any number of daily payments for official meetings of the commission actually attended. Members of the commission shall also be reimbursed for necessary travel and other expenses incurred in the discharge of their official duties on the same basis as is provided for state officers and employees generally in chapter 43.03 RCW.

(2) The commission shall appoint an executive director whose annual salary shall be determined under the provisions of RCW 43.03.028. He shall perform such duties and have such powers as the commission shall prescribe in order to carry out the provisions of this chapter, including assisting employees and employers in the settlement of labor disputes through mediation and fact-finding. The executive director, with such assistance as may be provided by the attorney general and such additional legal assistance consistent with chapter 43.10 RCW, shall have authority on behalf of the commission, in matters concerning the investigation of charges and issuances of complaints under this chapter.

(3) The commission shall employ such employees as it may from time to time find necessary for the proper performance of its duties, consistent with the provisions of this chapter.

(4) All of the expenses of the commission, including all necessary traveling and subsistence expenses outside the city of Olympia incurred by the members or employees of the commission under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the commission or by any individual it designates for that purpose.

**NEW SECTION.** Sec. 4. (1) It shall be the duty of the commission, in order to prevent or minimize interruptions growing out of labor disputes, to assist employers and employees to settle such disputes through mediation and fact-finding.

(2) The commission, through the director, may proffer its services in any labor dispute involving a political subdivision, municipal corporation, or the community college system of the state, either upon its

own motion or upon the request of one or more of the parties to the dispute, whenever in its judgment such dispute threatens to cause a substantial disruption to the public welfare.

(3) If the director is not able to bring the parties to agreement by mediation within a reasonable time, he shall seek to induce the parties to voluntarily seek other means of settling the dispute without resort to strike or other coercion, including submission to the employees in the bargaining unit of the employer's last offer of settlement for approval or rejection in a secret ballot. The failure or refusal of either party to agree to any procedure suggested by the director shall not be deemed a violation of any duty or obligation imposed by this chapter.

(4) Final adjustment by a method agreed upon by the parties is declared to be the desirable method for settlement of grievance disputes arising over the application or interpretation of an existing collective bargaining agreement. The commission is directed to make its mediation and fact-finding services available in the settlement of such grievance disputes only as a last resort.

NEW SECTION. Sec. 5. The principal office of the commission shall be in the city of Olympia, but it may meet and exercise any or all of its powers at any other place in the state.

NEW SECTION. Sec. 6. In order to prevent or minimize disruptions to the public welfare growing out of labor disputes, employers and employees and their representatives shall:

(1) Exert every reasonable effort to make and maintain agreements concerning rates of pay, hours, and working conditions, including provision for adequate notice of any proposed change in the terms of such agreements;

(2) Whenever a dispute arises over the terms or application of a collective bargaining agreement and a conference is requested by a party or prospective party thereto, arrange promptly for such a conference to be held and endeavor in such conference to settle such dispute expeditiously; and

(3) In case such dispute is not settled by conference, participate fully and promptly in such meetings as may be undertaken by the commission under this chapter for the purpose of aiding in a settlement of the dispute.

NEW SECTION. Sec. 7. The commission shall have authority from time to time to make, amend, and rescind, in the manner prescribed by the administrative procedure act, chapter 34.04 RCW, such rules and regulations as may be necessary to carry out the provisions of this chapter.

Sec. 8. Section 3, chapter 108, Laws of 1967 ex. sess. as amended by section 2, chapter 131, Laws of 1973 and RCW 41.56.030 are each amended to read as follows:

As used in this chapter:

(1) "Public employer" means any officer, board, commission, council, or other person or body acting on behalf of any public body governed by this chapter as designated by RCW 41.56.020, or any subdivision of such public body.

(2) "Public employee" means any employee of a public employer except any person (a) elected by popular vote, or (b) appointed to office pursuant to statute, ordinance or resolution for a specified term of office by the executive head or body of the public employer, or (c) (whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to the executive head or body of the applicable bargaining unit, or any person elected by popular vote or appointed to office pursuant to statute, ordinance or resolution for a specified term of office by the executive head or body of the public employer) who is a confidential employee as defined in this section.

(3) "Bargaining representative" means any lawful organization which has as one of its primary purposes the representation of employees in their employment relations with employers.

(4) "Collective bargaining" means the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.

(5) ("Department" means the department of labor and industries) "Commission" means the public employment relations commission.

(6) "Uniformed personnel" means (a) law enforcement officers as defined in RCW 41.26.030 as now or hereafter amended, of cities with a population of fifteen thousand or more or law enforcement officers employed by the governing body of AA counties or (b) fire fighters as that term is defined in RCW 41.26.030, as now or hereafter amended.

(7) "Supervisor" means any individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(8) "Professional employee" means:

(a) Any employee engaged in work: (i) Predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work; (ii) involving the consistent exercise of discretion and judgment in its performance; (iii) of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; (iv) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a

general academic education or from an apprenticeship or from training in the performance of routine mental, manual, or physical processes; or

(b) Any employee, who (i) has completed the courses of specialized intellectual instruction and study described in clause (iv) of paragraph (a), and (ii) is performing related work under the supervision of a professional person to qualify himself to become a professional employee as defined in paragraph (a).

(9) Confidential employee means:

(a) Any person who participates directly on behalf of an employer in the formulation of labor relations policy, the preparation for or conduct of collective bargaining, or the administration of collective bargaining agreements, except that the role of such person is not merely routine or clerical in nature but calls for the consistent exercise of independent judgment; and

(b) Any person who assists and acts in a confidential capacity to such person.

Sec. 9. Section 5, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.050 are each amended to read as follows:

In the event that a public employer and public employees are in disagreement as to the selection of a bargaining representative the ((department)) commission shall be invited to intervene as is provided in RCW 41.56.060 through 41.56.090, as now or hereafter amended.

Sec. 10. Section 6, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.060 are each amended to read as follows:

The ((department)) commission, after hearing upon reasonable notice, shall decide in each application for certification as an exclusive bargaining representative, the unit appropriate for the purpose of collective bargaining: PROVIDED, That the commission shall not decide that any unit is appropriate for such purposes if such unit includes both supervisors and/or professional employees and employees who are not supervisors and/or professional employees unless a majority of the supervisors and/or professional employees vote for inclusion in such unit. In determining, modifying, or combining the bargaining unit, the ((department)) commission shall consider the duties, skills, and working conditions of the public employees; the history of collective bargaining by the public employees and their bargaining representatives; the extent of organization among the public employees; and the desire of the public employees. The ((department)) commission shall determine the bargaining representative by (1) examination of organization membership rolls, (2) comparison of signatures on organization bargaining authorization cards, or (3) by conducting an election specifically therefor.

Sec. 11. Section 7, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.070 are each amended to read as follows:

In the event the ((department)) commission elects to conduct an election to ascertain the exclusive bargaining representative, and upon the request of a prospective bargaining representative showing written proof of at least thirty percent representation of the public employees within the unit, the ((department)) commission shall hold an election by secret ballot to determine the issue. The ballot shall contain the name of such bargaining representative and of any other bargaining representative showing written proof of at least ten percent representation of the public employees within the unit, together with a choice for any public employee to designate that he does not desire to be represented by any bargaining agent. Where more than one organization is on the ballot and neither of the three or more choices receives a majority vote of the public employees within the bargaining unit, a run-off election shall be held. The run-off ballot shall contain the two choices which received the largest and second-largest number of votes. No question concerning representation may be raised within one year of a certification or attempted certification. Where there is a valid collective bargaining agreement in effect, no question of representation may be raised except during the period not more than ninety nor less than sixty days prior to the expiration date of the agreement. Any agreement which contains a provision for automatic renewal or extension of the agreement shall not be a valid agreement((; nor shall any agreement be valid if it provides for a term of existence for more than three years)). A valid collective bargaining agreement may provide for a maximum term of existence not to exceed three years and any such agreement which exceeds the maximum term shall expire three years after it becomes effective.

Sec. 12. Section 8, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.080 are each amended to read as follows:

The bargaining representative which has been determined to represent a majority of the employees in a bargaining unit shall be certified by the ((department)) commission as the exclusive bargaining representative of, and shall be required to represent, all the public employees within the unit without regard to membership in said bargaining representative: PROVIDED, That any public employee at any time may present his grievance to the public employer and have such grievance adjusted without the intervention of the exclusive bargaining representative, if the adjustment is not inconsistent with the terms of a collective bargaining agreement then in effect, and if the exclusive bargaining representative has been given reasonable opportunity to be present at any initial meeting called for the resolution of such grievance.

Sec. 13. Section 9, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.090 are each amended to read as follows:

The ((department)) commission shall promulgate, revise or rescind such rules and regulations as it may deem necessary or appropriate to administer the provisions of this chapter in conformity with the intent and purpose of this chapter and consistent with the best standards of labor-management relations: PROVIDED, That the rules, precedents, and practices of the national labor relations board, if consistent with this chapter, shall be considered by the commission in its interpretation of this chapter, and prior to adoption of any aforesaid commission rules and regulations.



Sec. 14. Section 10, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.100 are each amended to read as follows:

A public employer shall have the authority to engage in collective bargaining with the exclusive bargaining representative and no public employer shall refuse to engage in collective bargaining with the exclusive bargaining representative(~~(- PROVIDED, That nothing contained herein shall require any public employer to bargain collectively with any bargaining representative concerning any matter which by ordinance, resolution or charter of said public employer has been delegated to any civil service commission or personnel board similar in scope, structure and authority to the board created by chapter 41.06 RCW. Upon the failure of the public employer and the exclusive bargaining representative to conclude a collective bargaining agreement, any matter in dispute may be submitted by either party to the state mediation service of the department of labor and industries)).~~)

**NEW SECTION.** Sec. 15. There is added to chapter 41.56 RCW a new section to read as follows:

(1) Either a public employer or an exclusive bargaining representative may declare that an impasse has been reached between them in collective bargaining and may request the commission to appoint a mediator for the purpose of assisting them in reconciling their differences and resolving the controversy on terms which are mutually acceptable. If the commission determines that its assistance is needed, not later than five days after the receipt of a request therefor, it shall appoint a mediator in accordance with rules and regulations for such appointment prescribed by the commission. The mediator shall meet with the parties or their representatives, or both, forthwith, either jointly or separately, and shall take such other steps as he may deem appropriate in order to persuade the parties to resolve their differences and effect a mutually acceptable agreement. The mediator, without the consent of both parties, shall not make findings of fact or recommend terms of settlement. The services of the mediator, including, if any, per diem expenses, shall be provided by the commission without cost to the parties. Nothing in this subsection (1) shall be construed to prevent the parties from mutually agreeing upon their own mediation procedure, and in the event of such agreement, the commission shall not appoint its own mediator unless failure to do so would be inconsistent with the effectuation of the purposes and policy of this chapter.

(2) If the mediator is unable to effect settlement of the controversy within ten days after his or her appointment, either party, by written notification to the other, may request that their differences be submitted to fact-finding with recommendations, except that the time for mediation may be extended by mutual agreement between the parties. Within five days after receipt of the aforesaid written request for fact-finding, the parties shall select a person to serve as fact-finder and obtain a commitment from that person to serve. If they are unable to agree upon a fact-finder or to obtain such a commitment within that time, either party may request the commission to designate a fact-finder. The commission, within five days after receipt of such request, shall designate a fact-finder in accordance with rules and regulations for such designation prescribed by the commission. The fact-finder so designated shall not be the same person who was appointed mediator pursuant to subsection (1) of this section without the consent of both parties.

The fact-finder, within five days after his appointment, shall meet with the parties or their representatives, or both, either jointly or separately, and make inquiries and investigations, hold hearings, and take such other steps as he may deem appropriate. For the purpose of such hearings, investigations and inquiries, the fact-finder shall have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence. If the dispute is not settled within ten days after his appointment, the fact-finder shall make findings of fact and recommend terms of settlement within thirty days after his appointment, which recommendations shall be advisory only.

(3) Such recommendations, together with the findings of fact, shall be submitted in writing to the parties and the commission privately before they are made public. Either the commission, the fact-finder, the public employer, or the exclusive bargaining representative may make such findings and recommendations public if the dispute is not settled within five days after their receipt from the fact-finder.

(4) The costs for the services of the fact-finder, including, if any, per diem expenses and actual and necessary travel and subsistence expenses, and any other incurred costs, shall be borne by the commission without cost to the parties.

(5) Nothing in this section shall be construed to prohibit a public employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any other governmental or other agency or person in lieu of the commission.

(6) Any fact-finder designated by a public employer and an exclusive representative or the commission for the purposes of this section shall be deemed an agent of the state.

Sec. 16. Section 2, chapter 59, Laws of 1973 and RCW 41.56.122 are each amended to read as follows:

A collective bargaining agreement may:

(1) Contain union security provisions: **PROVIDED**, That nothing in this section shall authorize a closed shop provision: **PROVIDED FURTHER**, That agreements involving union security provisions must safeguard the right of nonassociation of public employees based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member. Such public employee shall pay an amount of money equivalent to regular union dues and initiation fee to a nonreligious charity or to another charitable organization mutually agreed upon by the public employee affected and the bargaining representative to which such public employee would otherwise pay the dues and initiation fee. The public employee shall furnish written proof that such payment has been made. If the public employee and the bargaining representative do not reach agreement on such matter, the (~~department of labor and industries~~) commission shall designate the charitable organization. When there is a conflict between any

collective bargaining agreement reached by a public employer and a bargaining representative on a union security provision and any charter, ordinance, rule, or regulation adopted by the public employer or its agents, including but not limited to, a civil service commission, the terms of the collective bargaining agreement shall prevail.

(2) Provide for binding arbitration of a labor dispute arising from the application or the interpretation of the matters contained in a collective bargaining agreement.

Sec. 17. Section 3, chapter 59, Laws of 1973 and RCW 41.56.125 are each amended to read as follows:

In addition to any other method for selecting arbitrators, the parties may request the ((department of labor and industries)) public employment relations commission to, and the ((department)) commission shall, appoint a qualified person who may be an employee of the ((department)) commission to act as an arbitrator to assist in the resolution of a labor dispute between such public employer and such bargaining representative arising from the application of the matters contained in a collective bargaining agreement. The arbitrator shall conduct such arbitration of such dispute in a manner as provided for in the collective bargaining agreement: PROVIDED, That the ((department)) commission shall not collect any fees or charges from such public employer or such bargaining representative for services performed by the ((department)) commission under the provisions of this chapter: PROVIDED FURTHER, That the provisions of chapter 49.08 RCW shall have no application to this chapter.

Sec. 18. Section 3, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.160 are each amended to read as follows:

The ((department)) commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. This power shall not be affected or impaired by any means of adjustment, mediation or conciliation in labor disputes that have been or may hereafter be established by law.

Sec. 19. Section 4, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.170 are each amended to read as follows:

Whenever a charge has been made concerning any unfair labor practice, the ((department)) commission shall have power to issue and cause to be served a complaint stating the charges in that respect, and containing a notice of hearing before the ((department)) commission at a place therein fixed to be held not less than seven days after the serving of said complaint. Any such complaint may be amended by the ((department)) commission any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint within five days after the service of such original or amended complaint and to appear in person or otherwise to give testimony at the place and time set in the complaint. In the discretion of the ((department)) commission, any other person may be allowed to intervene in the said proceedings and to present testimony. In any such proceeding the ((department)) commission shall not be bound by technical rules of evidence prevailing in the courts of law or equity.

Sec. 20. Section 5, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.180 are each amended to read as follows:

For the purpose of all hearings and investigations, which, in the opinion of the ((department)) commission, are necessary and proper for the exercise of the powers vested in it by RCW 41.56.140 through 41.56.190, as now or hereafter amended, the ((department)) commission shall at all reasonable times have access to, for the purposes of examination, and the right to examine, copy or photograph any evidence, including payrolls or lists of employees, of any person being investigated or proceeded against that relates to any matter under investigation or in question. The ((department)) commission shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question before the ((department)) commission. The ((department)) commission, or any agent, or agency designated by the ((department)) commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence.

Sec. 21. Section 6, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.190 are each amended to read as follows:

The ((department)) commission, or any party to the ((department)) commission proceedings, thirty days after the ((department)) commission has entered its findings of fact, shall have power to petition the superior court of the state within the county wherein the unfair labor practice in question occurred or wherein any person charged with the unfair labor practice resides or transacts business, or if such court be on vacation or in recess, then to the superior court of any county adjoining the county wherein the unfair labor practice in question occurred or wherein any person charged with the unfair labor practice resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was made and the findings and order of the ((department)) commission. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the ((department)) commission.

Sec. 22. Section 3, chapter 131, Laws of 1973 and RCW 41.56.440 are each amended to read as follows:

Negotiations between representatives of the public employer and uniformed personnel shall be commenced at least five months prior to the submission of the budget to the legislative body of the public

employer. If after a forty-five day period of negotiation between representatives of the public employer and uniformed personnel, an agreement has not been concluded, then an impasse is declared to exist, and either party may voluntarily submit the matters in dispute to mediation, as provided for in RCW 41.56.100. If the parties have still not reached agreement after a ten day period of mediation, a fact-finding panel shall be created in the following manner: Each party shall appoint one member within two days; the two appointed members shall then choose a third member within two days who shall act as chairman of the panel. If the two members so appointed cannot agree within two days to the appointment of a third member, either party may request, and the ((department)) commission shall name a third member who shall be chairman of the fact-finding panel and who may be an employee of the ((department)) commission. The panel shall begin hearings on the matters in dispute within five days of the formation of the fact-finding panel and shall conclude such hearings and issue findings of fact and recommendations to the parties within thirty days of the date upon which hearings were commenced.

Reasonable notice of such hearings shall be given to the parties who shall appear and be heard either in person or by counsel or other representative. Hearings shall be informal and the rules of evidence prevailing in judicial proceedings shall not be binding. Minutes of the proceedings shall be taken. Any oral or documentary evidence and other data deemed relevant by the panel may be received in evidence. The panel shall have the power to administer oaths, require the attendance of witnesses, and the production of such books, papers, contracts, agreements, and documents as may be deemed by the panel material to a just determination of the issues in dispute and to issue subpoenas. Costs of each party's appointee shall be paid by the party, and the costs of proceedings otherwise shall be borne by the ((department)) commission.

In making its findings, the fact-finding panel shall be mindful of the legislative purpose enumerated in RCW 41.56.430 and as additional standards of guidelines to aid it in developing its recommendations, it shall take into consideration those factors set forth in RCW 41.56.460.

Sec. 23. Section 4, chapter 131, Laws of 1973 and RCW 41.56.450 are each amended to read as follows:

If an agreement has not been reached within forty-five days after mediation and fact-finding has commenced, an arbitration panel shall be created in the following manner: Each party shall submit a list of three persons to the ((director, who)) commission, which shall then name one from each list as members to the panel, all within two days. The two appointed members shall utilize one of the two following options in the appointment of the third member, who shall act as chairman of the panel: (1) By mutual consent, the two appointed members may jointly request the ((department)) commission, and the ((department)) commission shall appoint a third member within two days of such request. Costs of each party's appointee shall be borne by each party respectively; other costs of the arbitration proceedings shall be borne by the ((department)) commission; or (2) The two appointed members shall choose a third member within two days. The costs of each party's appointee shall be borne by each party respectively, and the costs of the proceedings otherwise shall be shared equally between the parties.

If the two members so appointed under alternative (2) cannot agree within two days to the appointment of a third member, either party may apply to the superior court of the county where the labor disputes exist and request that the third member of the panel be appointed as provided by RCW 7.04.050. The panel thus composed shall be deemed an agency of the executive director and a state agency for the purposes of this 1973 amendatory act. The panel shall hold hearings on the matters in dispute within five days after the formation of the arbitration panel and take oral or written testimony.

Reasonable notice of such hearings shall be given to the parties who shall appear and be heard either in person or by counsel or other representative. Hearings shall be informal and the rules of evidence prevailing in judicial proceedings shall not be binding. A recording of the proceedings shall be taken. Any oral or documentary evidence and other data deemed relevant by the panel may be received in evidence. The panel shall have the power to administer oaths, require the attendance of witnesses, and the production of such books, papers, contracts, agreements and documents as may be deemed by the panel material to a just determination of the issues in dispute and to issue subpoenas. If any person refuses to obey such subpoena or refuses to be sworn to testify, or any witness, party or attorney of a party is guilty of any contempt while in attendance at any hearing held hereunder, the panel may invoke the jurisdiction of the superior court in the county where a labor dispute exists and such court shall have jurisdiction to issue an appropriate order. Any failure to obey such order may be punished by the court as a contempt thereof.

The hearing conducted by the panel shall be concluded within twenty days of the time of commencement and, within fifteen days after conclusion of the hearings, the chairman shall make written findings of fact and a written determination of the dispute based upon the issues presented, a copy of which shall be mailed or otherwise delivered to the employees' negotiating agent or its attorney or other designated representative and to the employer or the employer's attorney or designated representative. The decision made by the panel shall be final and binding upon both parties, subject to review by the superior court upon the application of either party solely upon the question of whether the decision of the panel was arbitrary or capricious.

Sec. 24. Section 7, chapter 131, Laws of 1973 and RCW 41.56.480 are each amended to read as follows:

If the representative of either or both the uniformed personnel and the public employer refuse to submit to the procedures set forth in RCW 41.56.440 and 41.56.450, the parties, or the ((department)) commission on its own motion, may invoke the jurisdiction of the superior court for the county in which the labor dispute exists and such court shall have jurisdiction to issue an appropriate order. A failure to obey such order may be punished by the court as a contempt thereof. A decision of the arbitration panel shall

be final and binding on the parties, and may be enforced at the instance of either party, the arbitration panel or the ((department)) commission in the superior court for the county where the dispute arose.

NEW SECTION, Sec. 25. There is added to chapter 41.56 RCW a new section to read as follows:

This chapter shall supersede existing statutes not expressly repealed to the extent that there is a conflict between a provision of this chapter and those other statutes. Except as otherwise expressly provided herein, nothing in this chapter shall be construed to annul, modify or preclude the renewal or continuation of any lawful agreement entered into prior to the effective date of sections 1 through 33 of this 1975 amendatory act between an employer and an employee organization covering wages, hours, and terms and conditions of employment. Where there is a conflict between any collective bargaining agreement and any resolution, rule, policy or regulation of the employer or its agents, the terms of the collective bargaining agreement shall prevail.

Sec. 26. Section 47.64.010, chapter 13, Laws of 1961 and RCW 47.64.010 are each amended to read as follows:

Words and phrases used in this chapter shall have the meaning in this chapter ascribed to them except where, from the context thereof, they shall clearly have a contrary meaning:

(1) "Washington toll bridge authority" and "authority," "toll bridge authority" shall be used herein interchangeably and shall mean the Washington toll bridge authority as now, or as hereafter constituted by law, or such board, commission, authority, or officers as shall succeed to its duties;

(2) ("Marine employee commission" and "commission" shall be used herein interchangeably and shall mean the marine employee commission as prescribed herein) "Commission" means public employment relations commission;

(3) "Ferry" shall mean any ferry, ferry system, wharves, terminals constructed or acquired under the authority of the Washington toll bridge authority;

(4) "Employee" shall mean any person employed aboard ferries, wharves, or terminals acquired or constructed under the authority of the Washington toll bridge authority.

Sec. 27. Section 47.64.030, chapter 13, Laws of 1961 and RCW 47.64.030 are each amended to read as follows:

The authority is empowered to negotiate and to enter into labor agreements with its employees or their representatives, including provisions for health and welfare benefits for its employees to be financed either wholly or in part by contributions from the operating fund. The commission shall have the authority to administer labor relations and to adjudicate all labor disputes on the best interests of the efficient operation of any ferry or ferry system. In adjudicating disputes, the commission shall take into consideration that though an individual employee shall be free to decline to associate with his fellow employees, it is necessary that he have full freedom of association, self-organization and designation of representatives of his own choosing who shall represent him in all respects before the ((commission)) authority to negotiate the terms and conditions of his employment and before the commission for the settlement of his labor disputes. The commission shall make such surveys of wages, hours and working conditions as it deems necessary, shall consider the prevailing practices for similarly skilled trades in the area in which the employee is employed((-and)). The commission shall adjust complaints, grievances and disputes concerning labor arising out of the operation of the ferry or ferry system.

Sec. 28. Section 47.64.040, chapter 13, Laws of 1961 and RCW 47.64.040 are each amended to read as follows:

Any employee, employee's representative, or Washington toll bridge authority claiming labor disputes shall in writing notify the ((marine employee)) commission who shall make careful inquiry into the cause thereof and issue an order in writing advising the employee, or his representative, and the authority as to the decision of the commission.

The parties shall be entitled to offer evidence relating to disputes at all hearings conducted by the commission. All evidence, statements and testimony in any commission hearing under this chapter shall be transcribed and preserved by the commission and be available as a public record. The orders and awards of the ((marine employee)) commission shall be final and binding upon any employee or employees or their representatives affected thereby and upon the Washington toll bridge authority.

The commission shall by regulation prescribe its rules of procedure.

The commission shall have the authority to subpoena any employee or employees, or their representatives, and any member or representative of the Washington toll bridge authority, and any witnesses. The commission shall have power to require attendance of witnesses and the production of all pertinent records at any hearings held by the commission. The subpoenas of the commission shall be enforceable by order of any superior court in the state of Washington for the county within which such proceedings may be pending.

Sec. 29. Section 1, chapter 58, Laws of 1903 and RCW 49.08.010 are each amended to read as follows:

It shall be the duty of the director of labor and industries upon application of any employer or employee, other than public employers or public employees, having differences, and the duty of the chairman of the public employment relations commission upon application of any public employers or public employees having differences, as soon as practicable, to visit the location of such differences and to make a careful inquiry into the cause thereof and to advise the respective parties, what, if anything, ought to be done or submitted to by both to adjust said dispute and should said parties then still fail to agree to a settlement through said director or chairman, then said director or chairman shall endeavor to have said parties consent in writing to submit their differences to a board of arbitrations to be chosen from citizens of the state as follows, to wit: Said employer shall appoint one and said employees acting through a majority,

one, and these two shall select a third, these three to constitute the board of arbitration and the findings of said board of arbitration to be final.

Sec. 30. Section 2, chapter 58, Laws of 1903 and RCW 49.08.020 are each amended to read as follows:

The proceedings of said board of arbitration shall be held before the director of labor and industries for persons other than public employers and public employees and the chairman of the public employment relations commission for public employers and public employees who shall act as moderator or chairman, without the privilege of voting, and who shall keep a record of the proceedings, issue subpoenas and administer oaths to the members of said board, and any witness said board may deem necessary to summon.

Sec. 31. Section 3, chapter 101, Laws of 1967 and RCW 53.18.030 are each amended to read as follows:

In determining which employee organization will represent them, employees shall have maximum freedom in exercising their right of self-organization.

Controversies as to the choice of employee organization within a port shall be submitted to (~~arbitration in accordance with RCW 49.08.010~~) the public employment relations commission. Employee organizations may agree with the port district to independently resolve jurisdictional disputes: PROVIDED, That when no other procedure is available the procedures of RCW 49.08.010 shall be followed in resolving such disputes. In such case the (~~director of labor and industries~~) chairman of the public employment relations commission shall, at the request of any employee organization, arbitrate any dispute between employee organizations and enter a binding award in such dispute.

NEW SECTION. Sec. 32. Section 47.64.020, chapter 13, Laws of 1961 and RCW 47.64.020 are each repealed.

NEW SECTION. Sec. 33. Sections 1 through 7 of this 1975 amendatory act shall constitute a new chapter in Title 41 RCW.

NEW SECTION. Sec. 34. Sections 34 through 50 and section 53 of this 1975 amendatory act may be cited as the educational employment relations act.

NEW SECTION. Sec. 35. It is the purpose of sections 34 through 50 and section 53 of this 1975 amendatory act to prescribe certain rights and obligations of the educational employees of the school districts and community college districts of the state of Washington, and to establish procedures governing the relationship between such employees and their employers which are designed to meet the special requirements and needs of public employment in education.

NEW SECTION. Sec. 36. As used in sections 34 through 50 and section 53 of this 1975 amendatory act:

(1) The term "employee organization" means any organization, union, association, agency, committee, council, or group of any kind in which employees participate, and which exists for the purpose, in whole or in part, of collective bargaining with employers.

(2) The term "collective bargaining" or "bargaining" means the performance of the mutual obligation of the representatives of the employer and the exclusive bargaining representative to meet at reasonable times in light of the time limitations of the budget-making process, and to bargain in good faith in an effort to reach agreement with respect to the wages, hours, and terms and conditions of employment: PROVIDED, That prior law, practice or interpretation shall be neither restrictive, expansive, nor determinative with respect to the scope of bargaining. A written contract incorporating any agreements reached shall be executed if requested by either party. The obligation to bargain does not compel either party to agree to a proposal or to make a concession.

In the event of a dispute between an employer and an exclusive bargaining representative over the matters that are terms and conditions of employment, the commission shall decide which item(s) are mandatory subjects for bargaining and which item(s) are nonmandatory.

(3) The term "commission" means the public employment relations commission created by section 2 of this 1975 amendatory act.

(4) The terms "employee" and "educational employee" means any certificated employee of a school district, or faculty member, or professional educator or academic employee of a community college, except:

(a) The chief executive officer of the employer.

(b) The chief administrative officers of the employer, which shall mean:

(i) For school districts, the superintendent of the district, deputy superintendents, administrative assistants to the superintendent, assistant superintendents, and business manager; and

(ii) For community colleges, the president, deans, directors, and business manager. Title variation from all positions enumerated in this subsection (b) may be appealed to the commission for determination of inclusion in, or exclusion from, the term "educational employee".

(c) Confidential employees, which shall mean:

(i) Any person who participates directly on behalf of an employer in the formulation of labor relations policy, the preparation for or conduct of collective bargaining, or the administration of collective bargaining agreements, except that the role of such person is not merely routine or clerical in nature but calls for the consistent exercise of independent judgment; and

(ii) Any person who assists and acts in a confidential capacity to such person.

(d) Unless included within a bargaining unit pursuant to section 39 of this 1975 amendatory act, any supervisor, which means any employee having authority, in the interest of an employer, to hire, assign, promote, transfer, layoff, recall, suspend, discipline, or discharge other employees, or to adjust their grievances, or to recommend effectively such action, if in connection with the foregoing the exercise of such

authority is not merely routine or clerical in nature but calls for the consistent exercise of independent judgment, and shall not include any persons solely by reason of their membership on a faculty tenure or other governance committee or body. The term "supervisor" shall include only those employees who perform a preponderance of the above-specified acts of authority.

(e) Unless included within a bargaining unit pursuant to section 39 of this 1975 amendatory act, principals and assistant principals in school districts.

(5) The term "employer" means any school district or community college district, including the board of directors or trustees thereof.

(6) The term "exclusive bargaining representative" means any employee organization which has:

(a) Been selected or designated pursuant to the provisions of sections 34 through 50 and section 53 of this 1975 amendatory act as the representative of the employees in an appropriate collective bargaining unit; or

(b) Prior to January 1, 1976, been recognized under a predecessor statute as the representative of the employees in an appropriate collective bargaining or negotiations unit.

(7) The term "person" means one or more individuals, organizations, unions, associations, partnerships, corporations, boards, committees, commissions, agencies, or other entities, or their representatives.

(8) The term "nonsupervisory employee" means all educational employees other than principals, assistant principals and supervisors.

**NEW SECTION. Sec. 37. (1)** Employees shall have the right to self-organization, to form, join, or assist employee organizations, to bargain collectively through representatives of their own choosing, and shall also have the right to refrain from any or all of such activities except to the extent that employees may be required to pay a fee to any employee organization under an agency shop agreement authorized in this chapter.

(2) The exclusive bargaining representative shall have the right to have deducted from the salary of employees, upon receipt of an appropriate authorization form which shall not be irrevocable for a period of more than one year, an amount equal to the fees and dues required for membership. Such fees and dues shall be deducted monthly from the pay of all appropriate employees by the employer and transmitted as provided for by agreement between the employer and the exclusive bargaining representative, unless an automatic payroll deduction service is established pursuant to law, at which time such fees and dues shall be transmitted as therein provided. If an agency shop provision is agreed to and becomes effective pursuant to section 39 of this 1975 amendatory act, except as provided in that section, the agency fee equal to the fees and dues required of membership in the exclusive bargaining representative shall be deducted from the salary of employees in the bargaining unit.

**NEW SECTION. Sec. 38. (1)** Any employee organization may file a request with the commission for recognition as the exclusive representative. Such request shall allege that a majority of the employees in an appropriate collective bargaining unit wish to be represented for the purpose of collective bargaining by such organization, shall describe the grouping of jobs or positions which constitute the unit claimed to be appropriate, shall be supported by credible evidence demonstrating that at least thirty percent of the employees in the appropriate unit desire the organization requesting recognition as their exclusive representative, and shall indicate the name, address, and telephone number of any other interested employee organization, if known to the requesting organization.

(2) The commission shall determine the exclusive representative by conducting an election by secret ballot, except under the following circumstances:

(a) In instances where a serious unfair labor practice has been committed which interfered with the election process and precluded the holding of a fair election, the commission shall determine the exclusive bargaining representative by an examination of organization membership rolls or a comparison of signatures on organization bargaining authorization cards.

(b) In instances where there is then in effect a lawful written collective bargaining agreement between the employer and another employee organization covering any employees included in the unit described in the request for recognition, the request for recognition shall not be entertained unless it shall be filed within the time limits prescribed in subsection (3) of this section for decertification or a new recognition election.

(c) In instances where within the previous twelve months another employee organization has been lawfully recognized or certified as the exclusive bargaining representative of any employees included in the unit described in the request for recognition, the request for recognition shall not be entertained.

(d) In instances where the commission has within the previous twelve months conducted a secret ballot election involving any employees included in the unit described in the request for recognition in which a majority of the valid ballots cast chose not to be represented by any employee organization, the request for recognition shall not be entertained.

(3) Whenever the commission conducts an election to ascertain the exclusive bargaining representative, the ballot shall contain the name of the proposed bargaining representative and of any other bargaining representative showing written proof of at least ten percent representation of the educational employees within the unit, together with a choice for any educational employee to designate that he or she does not desire to be represented by any bargaining agent. Where more than one organization is on the ballot and neither of the three or more choices receives a majority of the valid ballots cast by the educational employees within the bargaining unit, a run-off election shall be held. The run-off ballot shall contain the two choices which receive the largest and second largest number of votes. No question concerning representation may be raised within one year of a certification or attempted certification. Where there is a valid collective bargaining agreement in effect, no question of representation may be raised except during the

period not more than ninety nor less than sixty days prior to the expiration date of the agreement. In the event that a valid collective bargaining agreement, together with any renewals or extensions thereof, has been or will be in existence for three years, then the question of representation may be raised not more than ninety nor less than sixty days prior to the third anniversary date of the agreement or any renewals or extensions thereof as long as such renewals and extensions do not exceed three years; and if the exclusive bargaining representative is removed as a result of such procedure, the then existing collective bargaining agreement shall be terminable by the new exclusive bargaining representative so selected within sixty days after its certification or terminated on its expiration date, whichever is sooner, or if no exclusive bargaining representative is so selected, then the agreement shall be deemed to be terminated at its expiration date or as of such third anniversary date, whichever is sooner.

(4) Within the time limits prescribed in subsection (3) of this section, a petition may be filed signed by at least thirty percent of the employees of a collective bargaining unit, then represented by an exclusive bargaining representative, alleging that a majority of the employees in that unit do not wish to be represented by an employee organization, requesting that the exclusive bargaining representative be decertified, and indicating the name, address and telephone number of the exclusive bargaining representative and any other interested employee organization, if known. Upon the verification of the signatures on the petition, the commission shall conduct an election by secret ballot as prescribed by subsection (3) of this section.

**NEW SECTION.** Sec. 39. The commission, upon proper application for certification as an exclusive bargaining representative or upon petition for change of unit definition by the employer or any employee organization within the time limits specified in section 38(3) of this 1975 amendatory act, and after hearing upon reasonable notice, shall determine the unit appropriate for the purpose of collective bargaining. In determining, modifying or combining the bargaining unit, the commission shall consider the duties, skills, and working conditions of the educational employees; the history of collective bargaining; the extent of organization among the educational employees; and the desire of the educational employees; except that in school districts:

(1) A unit including nonsupervisory educational employees shall not be considered appropriate unless it includes all such nonsupervisory educational employees of the employer; and

(2) A unit that includes only supervisors may be considered appropriate if a majority of the employees in such category indicate by vote that they desire to be included in such a unit; and

(3) A unit that includes only principals and assistant principals may be considered appropriate if a majority of such employees indicate by vote that they desire to be included in such a unit; and

(4) A unit that includes both principals and assistant principals and other supervisory employees may be considered appropriate if a majority of the employees in each category indicate by vote that they desire to be included in such a unit; and

(5) A unit that includes supervisors and/or principals and assistant principals and nonsupervisory educational employees may be considered appropriate if a majority of the employees in each category indicate by vote that they desire to be included in such a unit; and

(6) A unit that includes only employees in vocational-technical institutes or occupational skill centers may be considered to constitute an appropriate bargaining unit if the history of bargaining in any such school district so justifies; and

(7) Notwithstanding the definition of collective bargaining, a unit that contains only supervisors and/or principals and assistant principals shall be limited in scope of bargaining to compensation, hours of work, and the number of days of work in the annual employment contracts.

**NEW SECTION.** Sec. 40. The employee organization which has been determined to represent a majority of the employees in a bargaining unit shall be certified by the commission as the exclusive bargaining representative of, and shall be required to represent all the employees within the unit without regard to membership in that bargaining representative: PROVIDED, That any employee at any time may present his grievance to the employer and have such grievance adjusted without the intervention of the exclusive bargaining representative, as long as such representative has been given an opportunity to be present at that adjustment and to make its views known, and as long as the adjustment is not inconsistent with the terms of a collective bargaining agreement then in effect.

**NEW SECTION.** Sec. 41. A collective bargaining agreement may include union security provisions including an agency shop, but not a union or closed shop. If an agency shop provision is agreed to, the employer shall enforce it by deducting from the salary payments to members of the bargaining unit the dues required of membership in the bargaining representative, or, for nonmembers thereof, a fee equivalent to such dues. All union security provisions must safeguard the right of nonassociation of employees based on bona fide religious tenets or teachings of a church or religious body of which such employee is a member. Such employee shall pay an amount of money equivalent to regular dues and fees to a nonreligious charity or to another charitable organization mutually agreed upon by the employee affected and the bargaining representative to which such employee would otherwise pay the dues and fees. The employee shall furnish written proof that such payment has been made. If the employee and the bargaining representative do not reach agreement on such matter, the commission shall designate the charitable organization.

**NEW SECTION.** Sec. 42. (1) The commission shall promulgate, revise, or rescind, in the manner prescribed by the administrative procedure act, chapter 34.04 RCW, such rules and regulations as it may deem necessary and appropriate to administer the provisions of sections 34 through 50 and section 53 of this 1975 amendatory act, in conformity with the intent and purpose of sections 34 through 50 and section 53 of this 1975 amendatory act, and consistent with the best standards of labor-management relations.

(2) The rules, precedents, and practices of the national labor relations board, provided they are consistent with sections 34 through 50 and section 53 of this 1975 amendatory act, shall be considered by the commission in its interpretation of this chapter, and prior to adoption of any aforesaid commission rules and regulations.

**NEW SECTION.** Sec. 43. (1) Either an employer or an exclusive bargaining representative may declare that an impasse has been reached between them in collective bargaining and may request the commission to appoint a mediator for the purpose of assisting them in reconciling their differences and resolving the controversy on terms which are mutually acceptable. If the commission determines that its assistance is needed, not later than five days after the receipt of a request therefor, it shall appoint a mediator in accordance with rules and regulations for such appointment prescribed by the commission. The mediator shall meet with the parties or their representatives, or both, forthwith, either jointly or separately, and shall take such other steps as he may deem appropriate in order to persuade the parties to resolve their differences and effect a mutually acceptable agreement. The mediator, without the consent of both parties, shall not make findings of fact or recommend terms of settlement. The services of the mediator, including, if any, per diem expenses, shall be provided by the commission without cost to the parties. Nothing in this subsection (1) shall be construed to prevent the parties from mutually agreeing upon their own mediation procedure, and in the event of such agreement, the commission shall not appoint its own mediator unless failure to do so would be inconsistent with the effectuation of the purposes and policy of this chapter.

(2) If the mediator is unable to effect settlement of the controversy within ten days after his or her appointment, either party, by written notification to the other, may request that their differences be submitted to fact-finding with recommendations, except that the time for mediation may be extended by mutual agreement between the parties. Within five days after receipt of the aforesaid written request for fact-finding, the parties shall select a person to serve as fact-finder and obtain a commitment from that person to serve. If they are unable to agree upon a fact-finder or to obtain such a commitment within that time, either party may request the commission to designate a fact-finder. The commission, within five days after receipt of such request, shall designate a fact-finder in accordance with rules and regulations for such designation prescribed by the commission. The fact-finder so designated shall not be the same person who was appointed mediator pursuant to subsection (1) of this section without the consent of both parties.

The fact-finder, within five days after his appointment, shall meet with the parties or their representatives, or both, either jointly or separately, and make inquiries and investigations, hold hearings, and take such other steps as he may deem appropriate. For the purpose of such hearings, investigations and inquiries, the fact-finder shall have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence. If the dispute is not settled within ten days after his appointment, the fact-finder shall make findings of fact and recommend terms of settlement within thirty days after his appointment, which recommendations shall be advisory only.

(3) Such recommendations, together with the findings of fact, shall be submitted in writing to the parties and the commission privately before they are made public. Either the commission, the fact-finder, the employer, or the exclusive bargaining representative may make such findings and recommendations public if the dispute is not settled within five days after their receipt from the fact-finder.

(4) The costs for the services of the fact-finder, including, if any, per diem expenses and actual and necessary travel and subsistence expenses, and any other incurred costs, shall be borne by the commission without cost to the parties.

(5) Nothing in this section shall be construed to prohibit an employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any other governmental or other agency or person in lieu of the commission.

(6) Any fact-finder designated by an employer and an exclusive representative or the commission for the purposes of this section shall be deemed an agent of the state.

**NEW SECTION.** Sec. 44. An employer and an exclusive bargaining representative who enter into a collective bargaining agreement may include in such agreement procedures for binding arbitration of such disputes as may arise involving the interpretation or application of such agreement.

**NEW SECTION.** Sec. 45. (1) It shall be an unfair labor practice for an employer:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 37 of this 1975 amendatory act.

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules and regulations made by the commission pursuant to section 42 of this 1975 amendatory act, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment or any term or condition of employment, but nothing contained in this subsection shall prevent an employer from requiring, as a condition of continued employment, payment of periodic dues and fees uniformly required to an exclusive bargaining representative pursuant to section 41 of this 1975 amendatory act;

(d) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under sections 34 through 50 and section 53 of this 1975 amendatory act;

(e) To refuse to bargain collectively with the representatives of its employees.

(2) It shall be an unfair labor practice for an employee organization:



(a) To restrain or coerce (i) employees in the exercise of the rights guaranteed in section 37 of this 1975 amendatory act: PROVIDED, That this paragraph shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (ii) an employer in the selection of his representatives for the purposes of collective bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To refuse to bargain collectively with an employer, provided it is the representative of its employees subject to section 40 of this 1975 amendatory act.

(3) The expressing of any views, argument, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of sections 34 through 50 and section 53 of this 1975 amendatory act, if such expression contains no threat of reprisal or force or promise of benefit.

**NEW SECTION. Sec. 46. (1)** The commission is empowered to prevent any person from engaging in any unfair labor practice as defined in section 45 of this 1975 amendatory act. This power shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, law, equity or otherwise.

(2) If the commission determines that any person has engaged in or is engaging in any such unfair labor practices as defined in section 45 of this 1975 amendatory act, then the commission shall issue and cause to be served upon such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of sections 34 through 50 and section 53 of this 1975 amendatory act, such as the payment of damages and/or the reinstatement of employees.

(3) The commission may petition the superior court for the county in which the main office of the employer is located or wherein the person who has engaged or is engaging in such unfair labor practice resides or transacts business, for the enforcement of its order and for appropriate temporary relief.

**NEW SECTION. Sec. 47.** Actions taken by or on behalf of the commission shall be pursuant to chapter 34.04 RCW, or rules and regulations adopted in accordance therewith, and the right of judicial review provided by chapter 34.04 RCW shall be applicable to all such actions and rules and regulations.

**NEW SECTION. Sec. 48. (1)** Whenever a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and an employee organization representing the same employees, the effective date of such collective bargaining agreement may be the day after the termination date of the previous collective bargaining agreement and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with such effective date as established by this subsection, and may also accrue beginning with the effective date of any individual employee contracts affected thereby.

(2) Any collective bargaining agreement may provide for the increase of any wages, salaries and other benefits during the term of such agreement or the term of any individual employee contracts concerned, in the event that the employer receives by increased appropriation or from other sources, additional moneys for such purposes.

(3) Collective bargaining agreements which provide for increases of wages, salaries or other benefits to be funded in whole or in part from moneys other than those appropriated by the state legislature for specific purposes shall be effective and enforceable to the extent such other moneys are used, notwithstanding any disbursement or budgetary powers exercised or guidelines issued by any state agency.

**NEW SECTION. Sec. 49.** Sections 34 through 50 and section 53 of this 1975 amendatory act shall supersede existing statutes not expressly repealed to the extent that there is a conflict between a provision of sections 34 through 50 and section 53 of this 1975 amendatory act and those other statutes. Except as otherwise expressly provided herein, nothing in sections 34 through 50 and section 53 of this 1975 amendatory act shall be construed to annul, modify or preclude the renewal or continuation of any lawful agreement entered into prior to the effective date of sections 34 through 50 and section 53 of this 1975 amendatory act between an employer and an employee organization covering wages, hours, and terms and conditions of employment. Where there is a conflict between any collective bargaining agreement and any resolution, rule, policy or regulation of the employer or its agents, the terms of the collective bargaining agreement shall prevail.

**NEW SECTION. Sec. 50.** Except as otherwise expressly provided herein, nothing contained in sections 34 through 50 and section 53 of this 1975 amendatory act shall be construed to deny or otherwise abridge any rights, privileges or benefits granted by law to employees.

**Sec. 51.** Section 1, chapter 105, Laws of 1973 1st ex. sess. and RCW 28A.01.130 are each amended to read as follows:

The term "certificated employee" as used in RCW 28A.58.450 through 28A.58.515, 28A.58.445, 28A.67.065, 28A.67.070, ((and 28A.67.074)) and in sections 34 through 50 and section 53 of this 1975 amendatory act, each as now or hereafter amended, shall include those persons who hold certificates as authorized by rule or regulation of the state board of education or the superintendent of public instruction.

**Sec. 52.** Section 22, chapter 34, Laws of 1969 ex. sess. and RCW 28A.67.065 are each amended to read as follows:

Every board of directors, in accordance with procedure provided in ((RCW 28A.72.030)) sections 34 through 50 and section 53 of this 1975 amendatory act, shall establish an evaluative criteria and procedures

for all certificated employees. Such procedure shall require not less than annual evaluation of all employees. New employees shall be evaluated within the first ninety calendar days of their employment. Every employee whose work is judged unsatisfactory shall be notified in writing of stated areas of deficiencies along with recommendations for improvement by February 1st of each year. A probationary period shall be established from February 1st to April 15th for the employee to demonstrate improvement.

**NEW SECTION.** Sec. 53. Notwithstanding the definition of "employee" in section 36 of this 1975 amendatory act, the commission may exclude from the coverage of sections 34 through 50 and section 53 of this 1975 amendatory act any specialized job category of an employer school district where a majority of the persons employed in that job category consists of noncertificated employees. At such time as a majority of such employees are certificated, the job category may be considered an appropriate unit under sections 34 through 50 and section 53 of this 1975 amendatory act.

**NEW SECTION.** Sec. 54. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 55. Except for sections 42 and 47 of this 1975 amendatory act which shall take effect ninety days following enactment hereof, sections 34 through 50 and section 53 of this 1975 amendatory act shall take effect on January 1, 1976. Where the term "effective date of sections 34 through 50 and section 53 of this 1975 amendatory act" is used elsewhere in sections 34 through 50 and section 53 of this 1975 amendatory act it shall mean January 1, 1976.

**NEW SECTION.** Sec. 56. Sections 34 through 50 and section 53 of this 1975 amendatory act shall constitute a new chapter in Title 41 RCW.

**NEW SECTION.** Sec. 57. The following acts or parts of acts are each hereby repealed:

- (1) Section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010;
- (2) Section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020;
- (3) Section 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030;
- (4) Section 28A.72.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.050;
- (5) Section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060;
- (6) Section 28A.72.070, chapter 223, Laws of 1969 ex. sess., section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070;
- (7) Section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080;
- (8) Section 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.090;
- (9) Section 1, chapter 115, Laws of 1973 1st ex. sess. and RCW 28A.72.100;
- (10) Section 1, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.010;
- (11) Section 2, chapter 196, Laws of 1971 ex. sess., section 1, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.020;
- (12) Section 3, chapter 196, Laws of 1971 ex. sess., section 2, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.030;
- (13) Section 4, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.035;
- (14) Section 4, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.050;
- (15) Section 5, chapter 196, Laws of 1971 ex. sess., section 3, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.060;
- (16) Section 6, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.070;
- (17) Section 7, chapter 196, Laws of 1971 ex. sess., section 5, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.080;
- (18) Section 8, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.090;
- (19) Section 9, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.100; and
- (20) Section 6, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.200."

In line 1 of the title after "relations;" and before "amending" strike all of the remainder of the title and insert "amending section 3, chapter 108, Laws of 1967 ex. sess. as amended by section 2, chapter 131, Laws of 1973 and RCW 41.56.030; amending section 5, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.050; amending section 6, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.060; amending section 7, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.070; amending section 8, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.080; amending section 9, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.090; amending section 10, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.100; amending section 2, chapter 59, Laws of 1973 and RCW 41.56.122; amending section 3, chapter 59, Laws of 1973 and RCW 41.56.125; amending section 3, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.160; amending section 4, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.170; amending section 5, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.180; amending section 6, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.190; amending section 3, chapter 131, Laws of 1973 and RCW 41.56.440; amending section 4, chapter 131, Laws of 1973 and RCW 41.56.450; amending section 7, chapter 131, Laws of 1973 and RCW 41.56.480; amending section 47.64.010, chapter 13, Laws of 1961 and RCW 47.64.010; amending section 47.64.030, chapter 13, Laws of 1961 and RCW 47.64.030; amending section 47.64.040, chapter 13, Laws of 1961 and RCW 47.64.040; amending section 1, chapter 58, Laws of 1903 and RCW 49.08.010; amending section 2, chapter 58, Laws of 1903 and RCW 49.08.020; amending section 3, chapter 101, Laws of 1967 and RCW 53.18.030; adding new sections to chapter 41.56 RCW; adding a new chapter to Title 41 RCW; repealing section 47.64.020, chapter 13, Laws of 1961 and RCW 47.64.020; amending section 1, chapter 105, Laws of 1973 1st ex. sess. and RCW 28A.01.130; amending section 22, chapter 34, Laws of 1969 ex. sess. and RCW

28A.67.065; creating a new chapter in Title 41 RCW; repealing section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010; repealing section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020; repealing section 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030; repealing section 28A.72.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.050; repealing section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060; repealing section 28A.72.070, chapter 223, Laws of 1969 ex. sess., section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070; repealing section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080; repealing section 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.090; repealing section 1, chapter 115, Laws of 1973 1st ex. sess. and RCW 28A.72.100; repealing section 1, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.010; repealing section 2, chapter 196, Laws of 1971 ex. sess., section 1, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.020; repealing section 3, chapter 196, Laws of 1971 ex. sess., section 2, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.030; repealing section 4, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.035; repealing section 4, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.050; repealing section 5, chapter 196, Laws of 1971 ex. sess., section 3, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.060; repealing section 6, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.070; repealing section 7, chapter 196, Laws of 1971 ex. sess., section 5, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.080; repealing section 8, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.090; repealing section 9, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.100; repealing section 6, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.200; prescribing penalties; and establishing effective dates."

Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochran, King, May.

To Committee on Rules for second reading.

POINT OF PARLIAMENTARY INQUIRY

Mr. Moon: "Mr. Speaker, I would like to make an inquiry about House Bill No. 673 that was reported out of the Committee on Ways and Means - Revenue and has as yet not been assigned to Rules Committee."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Rule 82 states as follows in part: '...any bill estimated to raise or lower a revenue source by five million dollars or more over a four year period shall be acted upon and reported by the whole Ways and Means Committee.'"

Mr. Moon: "Mr. Speaker, is this the same rule that applied to House Bill No. 86 which is now in the Senate that passed this body? The fiscal impact on that biennially was \$12 million to the state and \$1.6 million locally according to the fiscal note."

The Speaker (Mr. O'Brien presiding): "You raised a question on House Bill No. 673; your question on the other bill is not before us."

Mr. Moon: "I want to know if the same rule applied."

The Speaker (Mr. O'Brien presiding): "It appears that your question is moot, Representative Moon, as the bill is over in the Senate."

Mr. Moon: "I want a note of clarification. I think that if there could possibly be some notation made when bills are reported out of a major committee, either the Revenue Committee or the Appropriations Committee and they are then assigned to the full Ways and Means Committee, that if we could have some notation made about this we would at least know where the bill stands. As it is now the status sheet—something happened to the computer apparently because the status sheet shows that House Bill No. 673 is still in House Ways and Means - Revenue. If we could make some notation so that we are able to follow the progress of bills it would serve the interests of the members better, I believe."

The Speaker (Mr. O'Brien presiding): "Representative Moon, I think our Rule 82 sets forth the procedure rather clearly. If there is any question on a bill that you might have in relation to Rule 82, at that time you should raise a direct point of order. There is nothing before us right now."

SENATE AMENDMENTS TO HOUSE BILL

April 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 474 with the following amendments:

On page 1, line 25 after "operated" and before "by" insert "or contracted for"

On page 2, line 3 after "owned" strike everything down to and including "operated" on line 4 and insert ", operated, leased or contracted for" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Charette, the House concurred in the Senate amendments to Engrossed House Bill No. 474.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 474 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 474 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipnuch, Smith E. P., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Conner, Randall.

Not voting: Representatives Deccio, Eng, Knowles, Luders, Smith R., Warnke, and Mr. Speaker.

Engrossed House Bill No. 474 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2300, by Senators Sandison and Rasmussen:

Permitting president of the Washington state historical society to have representative in his name on the Washington state board on geographic names.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2300 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2300, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnuch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Laughlin.

Engrossed Senate Bill No. 2300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 2507, by Committee on Local Government (Originally sponsored by Senators Henry, Bluechel and North - by Secretary of State request):

Designating office of program planning and fiscal management as recipient of certificate of annexation.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, Forty-first Day ex. sess., April 23, 1975.)

On motion of Mr. Hanna, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2507 as amended by the House was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2507 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnl, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Patterson, Sommers.

Substitute Senate Bill No. 2507 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2647, by Senators Beck and Walgren:

Providing for transfer of state land to Kitsap county.

The bill was read the second time.

Mr. Hawkins moved adoption of the following amendment:

On page 2, line 13 after "state." insert "'Recreational purposes' shall be liberally construed to include, but not be limited to, allowing the land or a portion thereof to remain relatively undeveloped for the purposes of hiking, the enjoyment of nature, and other similar activities."

Mr. Hawkins spoke in favor of the amendment, and Representatives Smith (Rick) and Martinis spoke against it.

The amendment was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2647 was placed on final passage.

Mr. Smith (Rick) spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Smith (Rick) yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "You mentioned that it wouldn't set a precedent, but I wondered if you had in any way considered the possible uses that this property could be used for by the state that would be far more valuable as a state resource—of income to the state—than just as recreational purposes as it is presently being used for? It seems to me that we are setting a precedent and I wonder if you could elaborate on that?"

Mr. Smith (Rick): "There is no shoreline nor tidelands involved here at all. It's all upland water; it's not forest land; there are no trees on it, just bramble bushes, and I can't envision a usage that the state might want to make of it other than what the county intends to make of it."

Mr. Zimmerman: "In other words, the Department of Natural Resources has indicated to you, and you do not feel that in any way this will make it possible for us to do something, as has happened in Edmonds and other places where we have gotten into considerable difficulties over the trading of state property?"

Mr. Smith (Rick): "I do not anticipate any of those."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2647, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Pardini.

Engrossed Senate Bill No. 2647, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ENGROSSED SENATE BILL NO. 2650, by Senator Bailey:

Ratifying county budget actions.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-first Day ex. sess., April 23, 1975.)

On motion of Mr. Hanna, the committee amendments were adopted.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2650 as amended by the House was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2650 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Chandler.

Engrossed Senate Bill No. 2650 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ENGROSSED SENATE BILL NO. 2690, by Senators Jolly and Talley:

Authorizing three-quarter milk containers.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal, Nineteenth Day ex. sess., April 1, 1975.)

On motion of Mr. Kilbury, the committee amendment was adopted.

Engrossed Senate Bill No. 2690 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2892, by Senators Fleming, Sellar and Talley:

Establishing disposition procedures for unclaimed personal property in port districts.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2892 was placed on final passage.

Representatives Laughlin and Eikenberry spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2892, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Randall.

Engrossed Senate Bill No. 2892, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

April 25, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 278 with the following amendment:

On page 2, line 8 of the engrossed bill, being line 7 of the printed bill, after the period insert: "The department shall purchase ambulance care by contract either on a 'fee for service' basis or at a reasonable cost based on a ratio of charges to cost. Any ambulance service when requested by the department shall supply such information as necessary to justify its rate, charges, or costs. The department shall establish an ambulance accounting and reimbursement system which recognizes relevant cost factors, including a reasonable rate of return on investment, in providing ambulance services generally. The contract with any ambulance service shall provide that no payment shall be made to the ambulance service if it does not permit inspection by the department of its vehicles, premises, and records, including financial records." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Shipoch, the House refused to concur in the Senate amendment to Engrossed House Bill No. 278 and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

April 25, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 861 with the following amendments:

On page 1, strike the title and insert:

"AN ACT Relating to expenditures by the legislature; adding a new section to chapter 43.88 RCW; making appropriations; and declaring an emergency."

On page 1 strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. The legislature finds it necessary to adopt a period of funding for legislative activities and costs which relate to the authority and intent of the elected body currently assembled pursuant to the Constitution and laws of this state, by establishing a biennial appropriation period coinciding with the current legislative session and succeeding session of the forty-fifth legislature. A legislative budget as set forth in section 2 of this act is hereby adopted and subject to the provisions set forth in the

following sections, the several amounts specified, or so much thereof as shall be necessary, are hereby appropriated and authorized to be disbursed for salaries, wages, and all other expenses of the legislature.

NEW SECTION. Sec. 2. FOR THE STATE LEGISLATURE

General Fund Appropriation

Senate Expenses and salaries of members .....	\$ 6,272,400
House of Representatives Expenses and salaries of members .....	\$ 6,870,351

NEW SECTION. Sec. 3. There is added to chapter 43.88 RCW a new section to read as follows:

In order to continue the constitutionally mandated doctrine of separation of powers and maintain the legislative branch as a separate but co-equal branch of state government and for the purpose of permitting the legislature to effectively control its own expenditures the senate and house of representatives, their employees, including the chief clerk of the house and the secretary of the senate, and their standing committees shall be exempt from all of the provisions of this chapter and shall not be subject to the rule making powers of any other agency relating to the management or control of expenditures: PROVIDED, HOWEVER, That nothing in this 1975 amendatory act shall preclude post audits by the state auditor under existing statutes.

Each house of the legislature is hereby authorized and directed to establish its own accounting system based on sound budgeting, accounting, and fiscal practices.

NEW SECTION. Sec. 4. This 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

Mr. Shinpoch moved that the House do concur in the Senate amendments to Engrossed House Bill No. 861.

Mr. Shinpoch spoke in favor of the motion.

### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Newhouse.

Mr. Newhouse: "I have a question involved in the agency budget, House Bill No. 866, which appropriated more money for the legislature and that was, of course, the biennial appropriation having to do from July 1st this year to 1977. Would that appropriation go into the legislative appropriation and be handled on the January to January basis or will it be handled on the July to July basis?"

Mr. Shinpoch: "I just don't know. I can only speak to the intent that we have. The intent would be to move it to the January to January basis so that we can account for it on a January to January basis, and I guess we didn't think about it and didn't write the language into the bill. Possibly we can get to the Senate and get it done. I can try."

Mr. Newhouse: "One more question: In reviewing the Senate amendment, is it your understanding that the full responsibility to audit is still vested in the State Auditor? Does this amendment that the Senate has put on, that you are moving that we concur with, in any way weaken the Auditor's right and duties to go in and audit legislative expenditures?"

Mr. Shinpoch: "No, it does not weaken that at all. In fact it states specifically that we do come under the State Auditor and we will be audited by the State Auditor and we must set up the auditing and accounting practices that allow that audit trail. It will continue to be as it is now; the intent of this House and the Chief Clerk of this House is that all of our books relative to expenditures will be open and will be public record. Any member of the House can go in and find out what is being expended today and it is our intent and it will continue to be our intent in this House that this will continue to be so. You can get down to just as finite as you want—if you want to find out down to goods and services, how much we spent on paper, or how much on machines, it's all there and it's all available and it will continue to be available."

Mr. Curtis spoke in opposition to the motion to concur in the Senate amendments.

Mr. Shinpoch spoke again in favor of the motion, and Mr. Curtis again spoke against it.

Mr. Smith (Rick) spoke in favor of the motion and Mr. Williams spoke against it.



## POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Ehlers.

Mr. Ehlers: "I think you answered this sufficiently a few minutes ago, but for the record, a question of intent. Is there anything in this bill, in your mind, that precludes the right of the public to have complete access to financial records of this legislature?"

Mr. Shinpoch: "I can't speak for sure that there is anything in this act; I can only tell you the intent of this House and how this House will operate. I have the assurance from the Chief Clerk that we will continue, as we are now, to operate with our records completely open as they are today and it will continue to be that way."

The motion by Mr. Shinpoch that the House do concur in the Senate amendments was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY THE SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 861 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 861 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 78; nays, 17; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Charnley, Curtis, Deccio, Eikenberry, Eng, Hurley G. S., Lysen, Moon, Nelson, Paris, Patterson, Peterson, Tilly, Valle, Whiteside, Williams, Zimmerman.

Not voting: Representatives Kuehnle, Matthews, Polk.

Engrossed House Bill No. 861 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

April 28, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 131 with the following amendments:

On line 4 of the title of the engrossed and printed bills, after "28A.57.200" insert "; and declaring an emergency"

On page 1, line 21 of the engrossed bill, being the last line of the House Committee amendment after "year" insert the following ": PROVIDED FURTHER, That school districts operating an extended school year program, most commonly implemented as a 45-15 plan, shall be deemed to be making a reasonable effort"

On line 21 of the engrossed bill, being the last line of the House Committee amendment, after "year" insert ": PROVIDED FURTHER, That in the event any school district has suffered any interruption in its normal school calendar due to a strike or other work stoppage or slowdown by any of its employees such district shall not be subject to the requirements of this section"

On page 1, following line 24 of the engrossed bill, being line 19 of the printed bill, insert:

"NEW SECTION. Sec. 2. This 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Bauer, the House concurred in the Senate amendments to Engrossed House Bill No. 131.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY THE SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 131 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 131 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kuehnl.

Engrossed House Bill No. 131 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Thompson, the House recessed until 1:30 p.m.

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AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

## MESSAGE FROM THE SENATE

April 30, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 155,  
HOUSE BILL NO. 451,  
HOUSE BILL NO. 486,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

Mr. Charette demanded a Call of the House and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

## MOTION

On motion of Mr. Charette, the House proceeded with business under the Call of the House.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 474,  
HOUSE BILL NO. 861.

The Speaker assumed the Chair.

On motion of Mr. Thompson, the House advanced to the seventh order of business.

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 435, by Committee on Transportation and Utilities (Originally sponsored by Representatives McCormick, Martinis, Newhouse, Zimmerman and Gallagher):

Revising law relating to rate setting and financing of public service companies.

The bill was read the third time and placed on final passage.

Representatives Perry and Newhouse spoke in favor of the bill, and Mr. Seeberger spoke against it.

Mr. Conner demanded an oral roll call and the demand was sustained.

Representatives Flanagan, Bond and Zimmerman spoke in favor of passage of the bill, and Representatives Randall, Douthwaite, McKibbin, Hurley (George), Moon and Charnley spoke against it.

Mr. Charette demanded the previous question and the demand was not sustained.

## MOTION

Ms. Sommers moved that the rules be suspended and Engrossed Substitute House Bill No. 435 be returned to second reading for the purpose of considering one amendment.

## SPEAKER'S RULING

The Speaker: "Attempting to clarify the situation so that I think we can get to the matter that I think you are talking about, if you suspend the rules to consider one amendment, it will be the first amendment on the desk, so if you have a particular amendment I guess you had better spell it into your motion otherwise it will be the first one up here that we will have to accept. I would say that this is an unusual motion that you are placing so this will be our interpretation."

## POINT OF ORDER

Mr. Newhouse: "My contention would be that her motion is out of order because it contains two factors and is not just a simple motion."

## SPEAKER'S RULING

The Speaker: "I think you might be correct except that she is moving to suspend the rules and once you suspend the rules it's pretty wide open on just what she could be able to do. If she is suspending the rules to consider a certain amendment, I think that would be a proper suspension of the rules, although we normally aren't involved with a particular amendment."

Mr. Newhouse: "I would just contend that the proper motion, even if so stated, would be to return the bill to second reading. Once it is returned it is open to all amendments until the House decides otherwise."

The Speaker: "Unless the House directs to the contrary by a suspension of the rules and this is what she is attempting to do."

The Speaker stated the question before the House to be the motion by Representative Sommers to suspend the rules and return Engrossed Substitute House Bill No. 435 to second reading for the purpose of consideration of one amendment.

Ms. Sommers spoke in favor of the motion.

## POINT OF ORDER

Mr. Berentson: "I believe Representative Sommers made this same basic amendment when we had the bill before us on second reading and therefore the amendment would not be acceptable again as it has been acted upon previously."

## SPEAKER'S RULING

The Speaker: "The question presently before us, Representative Berentson, is the motion to suspend the rules for the purpose of presenting an amendment. She has informed the House of the amendment, but it is not included in the motion, so your point of order would have to be taken once the amendment is placed before us officially. The particular amendment is not part of the motion."

Mr. Berentson asked Ms. Sommers to yield to question.

#### SPEAKER'S RULING

The Speaker: "Under a suspension of the rules only one member is allowed to speak on each side of the issue, and once you go into a question I'm afraid you might be within the realm of taking up the negative speech. You may do that if you wish."

The motion by Representative Sommers failed.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 435.

Mr. Deccio spoke in favor of the bill.

#### SPEAKER'S ADMONITION

The Speaker: "Representative Deccio, I think you are going beyond the scope of the argument on this bill. I hope we can stay away from the whole gauntlet of public versus private power or we'll be here the rest of the week."

Mr. Deccio continued his remarks in favor of passage of the bill, and Representatives Bender, Sherman and Randall spoke against it.

Mr. Newhouse demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 435, and the bill passed the House by the following vote: Yeas, 54; nays, 44; not voting, 0.

Voting yea: Representatives Adams, Amen, Barnes, Bender, Berentson, Bond, Brown, Ceccarelli, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelsing, Kalich, Knowles, Kuehnle, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Parker, Patterson, Perry, Peterson, Polk, Schumaker, Thompson, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Blair, Boldt, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Lysen, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Paris, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Williams, Wojahn.

Engrossed Substitute House Bill No. 435, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### NOTICE OF RECONSIDERATION

Mr. Bender, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 435 passed the House.

The Speaker called on Mr. Charette to preside.

ENGROSSED HOUSE BILL NO. 971, by Representatives Randall, Pardini, Sommers and Newhouse:

Pertaining to taxation of leasehold interests.

The bill was read the third time and placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Charnley.

Mr. Charnley: "It has been suggested in a recent article in the paper that this bill will exceedingly and unfairly impact small lessees, not the major ones. It is the small lessees, such as those people renting homes from the Highway Department along right-of-ways, etc. I wondered if you might comment on that?"

Mr. Randall: "I think that you could find instances where a tax bill will, in fact, increase under this 12% leasehold tax, more than the current taxes now paid on the property. I think

you are particularly referring to those kinds of homes that the Highway Department has purchased and that are now being rented, either 30 or 60 day leases. These are often \$30,000 or \$40,000 homes of considerable value that are being rented for \$100 or \$120 per month based on the fact that it is such a short-term lease. Under this, as a matter of fact, I think there are some instances where those taxes will increase for those particular people. As I said earlier, it is not possible to write a bill that takes into account every specific situation that may develop. It's a bill of averages; it's a bill that we've looked at back and forth and upside down and around until we finally arrived at that rate level that we knew reflected the kind of return that the private lessee who is occupying public property should pay. Again we based it on the return that would approximate \$15 per thousand or 1.6 percent. There are cases of industrial leases where the lessee is going to pay less than he is now paying. There are just as many cases where the lessee is going to pay considerably more than he is paying right now. I appreciate the problem that you have stated and in all honesty there are some small leases that will take an increase."

Mr. Charnley spoke against passage of the bill.

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Amen.

Mr. Amen: "Is there something in this bill, if it passes, that makes it mandatory that the leaseholder will be given relief on this—that he does not have to pay twice on this?"

Mr. Randall: "I think you are asking the question, is a private lessee going to be stuck with a personal property tax bill as well as a 12% excise tax on the value of his lease. The answer is no. I think we've precluded that from happening in the bill."

Mr. Amen: "Doesn't this go back to the local taxing district and is it then up to them to refund that or not? Is credit given to the local taxing district?"

Mr. Randall: "There won't be a refund necessary, because there won't be an initial tax bill. This year's collection is based on current law, chapter 187, and this year's tax bill is due and payable under the old law and it's based on what we would call a permitted use lease or permitted use value. This act takes effect January 1, 1976 and from that point on the only tax due will be the 12% due as an excise tax on the value of the taxable rent. This year, for instance, assessments will not be valuing private lessees because the tax bill will not be due next year. There's no way that a refund posture could develop."

Mr. Newhouse spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Flanagan.

Mr. Flanagan: "I just made some quick calculations and it appears to me that on this 12% rate, a piece of property paying 12% of the rent on the average would be considerably less tax than if that same piece of property was privately owned and on the tax rolls. Is that right?"

Mr. Randall: "You can't go cash rent. You see we are talking about taxable rent. Taxable rent includes a whole laundry list of things other than cash rent that transpires between the lessor and the lessee. Let's take the home you are talking about that is on public property that you build and your 20-year lease is reverted to the lessor. You bring up so many conditions when you say that that it is pretty hard to answer. If, in fact, the property does revert to the lessor, then the value of that property that reverts is prorated over the life of the lease and that becomes part of taxable rent in addition to cash rent."

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Perry.

Mr. Perry: "Does this bill in any way apply to public housing?"

Mr. Randall: "No, there's an exempt section that exempts public housing."

Ms. Sommers spoke in favor of passage of the bill, and Mr. Moon spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 971, and the bill passed the House by the following vote: Yeas, 63; nays, 35; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Berentson, Bond, Brown, Chandler, Chatalas, Curtis, Deccio, Douthwaite, Dunlap, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hurley G. S., Hurley M., Jueling, Kalich, Kilbury, Knowles, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bausch, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Ehlers, Eikenberry, Gaines, Gilleland, Hawkins, Hendricks, Jastad, King, Kuehnle, Laughlin, Lysen, Maxie, Moon, Parker, Patterson, Perry, Schumaker, Smith E. P., Tilly, Valle, Warnke, Williams, Wilson, Wojahn.

Engrossed House Bill No. 971, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1029, by Representatives Conner, Warnke, Eikenberry, Kalich, Wojahn and Gallagher:

Recognizing the Washington association of sheriffs and chiefs of police.

The bill was read the third time and placed on final passage.

Mr. Conner spoke in favor of passage of the bill, and Representatives North, Haussler and Kilbury spoke against it.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "I wonder if you could tell me if the executive director of the association would come under the public employment pension system or one of the public pension programs that we have in the state?"

Mr. Conner: "Well, they haven't discussed that as far as an executive secretary—they do not at the present time. In talking to the individuals from law enforcement who are pushing this, they feel that they would come under it."

Representatives Conner, Hanna, Eikenberry and May spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1029, and the bill passed the House by the following vote: Yeas, 69; nays, 29; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Curtis, Dunlap, Eikenberry, Fischer, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansey, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moreau, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Boldt, Charnley, Cochrane, Deccio, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Fortson, Freeman, Gilleland, Hansen, Haussler, Hawkins, Hurley G. S., Kilbury, Maxie, Moon, Nelson, Newhouse, North, Peterson, Polk, Shipoch, Sommers, Whiteside, Williams.

Engrossed House Bill No. 1029, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1078, by Committee on Natural Resources (Originally sponsored by Representatives Martinis, Moreau, Kalich, Matthews and Wilson):

Revising the forest practices act.

The bill was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on final passage of Substitute House Bill No. 1078, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Patterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Conner, Fortson, Hansey.

Substitute House Bill No. 1078, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, all bills passed by the House to this point in the proceedings were ordered transmitted immediately to the Senate.

On motion of Mr. Charette, the House moved to immediately consider Engrossed Substitute House Bill No. 457 on third reading.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 457, by Committee on Labor (Originally sponsored by Representatives King, Savage, McKibbin, Becker, Moreau, May and Hanna):

Enacting a state labor-management relations act.

The bill was read the third time and placed on final passage.

Mr. Chatalas demanded an oral roll call and the demand was sustained.

Representatives Savage, Chatalas and King spoke in favor of passage of the bill, and Representatives Berentson, May, Newhouse, Curtis, Schumaker, Zimmerman and Freeman spoke against it.

#### MOTION

On motion of Mr. Thompson, Mr. Leckenby was excused from further business under the Call of the House.

Mr. Savage spoke again in favor of the bill, and Representatives Hansey, Polk and Matthews spoke against it.

Mr. Luders demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 457, and the bill failed to pass the House by the following vote: Yeas, 44; nays, 53; not voting: 1.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Lysen, Martinis, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Savage, Sherman, Smith R., Sommers, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bausch, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, Knowles, Kuehnle, Lee, Luders, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Randall, Schumaker, Seeberger, Shipoch, Smith E. P., Thompson, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative Leckenby.

Engrossed Substitute House Bill No. 457, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Ceccarelli, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 457 failed to pass the House.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 131.

## MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Thursday, May 1, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



**FORTY-NINTH DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, May 1, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Williams, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cindi Materi and Larry Hersey. Prayer was offered by Reverend Charles A. Loyer of Westminster United Presbyterian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**SPEAKER'S PRIVILEGE**

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House, former Representative George H. Johnson. Mr. Johnson had been a member of the House of Representatives from 1935 through 1945.

The Speaker (Mr. O'Brien presiding) requested Representatives Hurley (George) and Savage to escort Mr. Johnson to a place on the rostrum beside the Speaker.

**MESSAGES FROM THE SENATE**

April 30, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2727,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 30, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2074,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 30, 1975

Mr. Speaker:

The Senate refuses to recede from its amendment to ENGROSSED HOUSE BILL NO. 385 and once again asks the House to concur, and said bill, together with the Senate amendment thereto, is hereby transmitted.

Bill Gleason, Assistant Secretary.

**MOTION**

On motion of Mr. Kilbury, the House adhered to its position with regard to Engrossed House Bill No. 385 and asked the Senate for a conference thereon.

**INTRODUCTION AND FIRST READING**

ENGROSSED SUBSTITUTE SENATE BILL NO. 2727, by Committee on Local Government (Originally sponsored by Senator Sellar):

Setting compensation for port commissioners.

To Committee on Local Government

## REPORTS OF STANDING COMMITTEES

April 29, 1975

**HOUSE BILL NO. 519, Prime Sponsor: Representative Pardini, pertaining to local business and occupation taxes. Reported by Committee on Ways and Means – Revenue.**

**MAJORITY recommendation: Do pass with the following amendments:**

On page 1, beginning on line 7 with "rules" strike that word and all material down to and including "rules." on line 13 and insert the following: "guidelines establishing uniform methods for the division of the gross proceeds of sales of a taxpayer between cities and towns in those instances where a single taxpayer is doing business in more than one city or town which imposes a license fee upon the act or privilege of engaging in business and where such tax is imposed against the dollar volume of business and activity of the taxpayer. Such guidelines may be adopted by all cities and towns imposing such tax but shall only be mandatory in those situations where the taxpayer and city are in dispute regarding the division of the gross income or the attribution of gross proceeds of sales between cities and towns. Where such disputed situations exist, the governing authority of every city and town shall follow such guidelines with respect to the administration of business taxes in such disputed cases."

On page 1, line 1 of the title after "Relating to" insert "administrative procedures for the department of revenue in attributing"

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Eikenberry, Hawkins, Hurlley (George), Kilbury, Pardini, Sommers, Williams.

To Committee on Rules for second reading.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2006, Original Prime Sponsor: Senator Henry, creating a state department of veterans affairs. Reported by Committee on State Government.**

**MAJORITY recommendation: Do pass with the following amendments:**

Strike all of the bill following the enacting clause and insert the following:

"**NEW SECTION.** Section 1. As used in this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

- (1) "Department" means the department of veterans affairs;
- (2) "Director" means the director of the department of veterans affairs;
- (3) "Committee" means the veterans affairs advisory committee.

**NEW SECTION.** Sec. 2. There is hereby created a department of state government to be known as the department of veterans affairs. All powers, duties, and functions now or through action of this legislature vested by law in the department of social and health services relating to veterans and veteran affairs are transferred to the department, except those powers, duties, and functions which are expressly directed elsewhere by law. Powers, duties, and functions to be transferred shall include, but not be limited to, all those powers, duties, and functions involving cooperation with other governmental units, such as cities and counties, or with the federal government, in particular those concerned with participation in federal grants-in-aid programs. Also transferred to the department shall be the powers, duties, and functions of the bonus division of the treasurer's office: **PROVIDED,** That such transfer shall not occur until the bonus division completes its current duties of accepting and processing bonus claims arising from the Viet Nam conflict. This section shall not be construed to continue the powers, duties and functions of said bonus division beyond a time when such powers, duties or functions would otherwise cease.

**NEW SECTION.** Sec. 3. The executive head and appointing authority of the department shall be the director of veterans affairs. The director shall be an honorably discharged or retired veteran of the armed forces of the United States and shall be appointed by the governor with the consent of the senate and shall serve at the pleasure of the governor. The director shall be paid a salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. If a vacancy occurs in the position of director while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when the governor shall present the nomination for the office to that body.

**NEW SECTION.** Sec. 4. The director of the department of veterans affairs shall have the power and it shall be the director's duty:

- (1) To conduct, control, and supervise the department;
- (2) To appoint and employ and to determine the powers and duties together with the salaries and other expenses of such clerical and other personnel, subject to the provisions of chapter 41.06 RCW, as are necessary to carry out the duties of the department; and
- (3) To perform all other matters and things, whether similar to the foregoing or not, to carry out the provisions of this chapter.

**NEW SECTION.** Sec. 5. The director may appoint such assistants and executive staff as shall be needed to administer the department, all of whom shall be veterans. The director shall designate a deputy from the executive staff who shall have charge and general supervision of the department in the absence or disability of the director, and in case of a vacancy in the office of director, shall continue in charge of the department until a successor is appointed and qualified, or until the governor shall appoint an acting director.

**NEW SECTION.** Sec. 6. The director may delegate any power or duty vested in or transferred to the director by law or executive order to a deputy director or to any other assistant or subordinate, but the director shall be responsible for the official acts of the officers and employees of the department.

**NEW SECTION.** Sec. 7. There is added to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the department of veterans affairs to the director, the deputy director, and to no more than two assistants.

**NEW SECTION.** Sec. 8. In addition to other powers and duties, the director is authorized:

(1) To cooperate with officers and agencies of the United States in all matters affecting veterans affairs;

(2) To accept grants, donations, and gifts on behalf of this state for veterans affairs from any person, corporation, government, or governmental agency, made for the benefit of a former member of the armed forces of this or any other country;

(3) To be custodian of all the records and files of the selective service system in Washington that may be turned over to this state by the United States or any department, bureau, or agency thereof; and to adopt and promulgate such rules and regulations as may be necessary for the preservation of such records and the proper use thereof in keeping with their confidential nature;

(4) To act without bond as conservator of the estate of a beneficiary of the veterans administration when the director determines no other suitable person will so act;

(5) To extend on behalf of the state of Washington such assistance as the director shall determine to be reasonably required to any veteran and to the dependents of any such veteran;

(6) To adopt rules and regulations pursuant to chapter 34.04 RCW with respect to all matters of administration to carry into effect the purposes of this section. Such proposed rules and regulations shall be submitted by the department at the time of filing notice with the code reviser as required by RCW 34.04-.025 to the respective legislative committees of the senate and of the house of representatives dealing with the subject of veteran affairs legislation through the offices of the secretary of the senate and chief clerk of the house of representatives.

**NEW SECTION.** Sec. 9. All employees and personnel of the department of social and health services directly engaged in services to veterans shall, on the effective date of this amendatory act, be transferred to the jurisdiction of the department of veterans affairs. All employees classified under chapter 41.06 RCW, the state civil service law, shall be assigned to the department to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state civil service law.

**NEW SECTION.** Sec. 10. All reports, documents, surveys, books, records, files, papers, or other writings in the possession of all departments and agencies of state government concerned with veterans services, and pertaining to the functions affected by this chapter, shall be delivered to the custody of the department of veterans affairs. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed in carrying out the powers and duties transferred by this chapter shall be made available to the department. All funds, credits, or other assets held in connection with the functions transferred by this chapter shall be assigned to the department.

Any appropriations made to the department of social and health services or other departments or agencies affected by this chapter for the purpose of carrying out the powers and duties transferred by this chapter, shall on the effective date of this amendatory act, be transferred and credited to the department of veterans affairs for the purpose of carrying out such transferred powers and duties.

Whenever any question arises as to the transfer of any funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred under this chapter, the director of program planning and fiscal management or successor thereto shall make a determination as to the proper allocation and certify the same to the state departments and agencies concerned.

**NEW SECTION.** Sec. 11. All rules and regulations, and all pending business before the departments and agencies or divisions thereof affected by this chapter pertaining to matters transferred by this chapter, as of the effective date of this amendatory act, shall be continued and acted upon by the department. All existing contracts and obligations pertaining to the functions transferred by this chapter shall remain in full force and effect, and shall be performed by the department. Neither the transfer of any department or agency, or division thereof, nor any transfer of powers, duties, and functions, shall affect the validity of any act performed by such department or agency or division thereof or any officer or employee thereof prior to the effective date of this amendatory act.

**NEW SECTION.** Sec. 12. If apportionments of budgeted funds are required because of the transfers authorized by this chapter, the director of program planning and fiscal management shall certify such apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with such certification.

**NEW SECTION.** Sec. 13. In furtherance of the policy of the state to cooperate with the federal government in all of the programs included in this chapter, such rules and regulations as may become necessary to entitle the state to participate in federal funds may be adopted, unless the same be expressly prohibited by law. Any internal reorganization carried out under the terms of this chapter shall meet federal requirements which are a necessary condition to state receipt of federal funds. Any section or provision of this chapter which may be susceptible to more than one construction shall be interpreted in favor of

the construction most likely to comply with federal laws entitling this state to receive federal funds for the various programs of the department. If any part of this chapter is ruled to be in conflict with federal requirements which are a prescribed condition of the allocation of federal funds to the state, or to any departments or agencies thereof, such conflicting part of this chapter is declared to be inoperative solely to the extent of the conflict.

**NEW SECTION.** Sec. 14. (1) There is hereby created a state veterans affairs advisory committee which shall serve in an advisory capacity to the director of the department of veterans affairs. The committee shall be composed of nine members to be appointed by the governor, and shall consist of two veterans at large, one of whom shall be a Viet Nam era veteran, and one representative of each of the following congressionally chartered veterans organizations: American Legion, Veterans of Foreign Wars, American Veterans of World War II, Korea and Vietnam, Disabled American Veterans, Military Order of the Purple Heart, Marine Corps League, and Veterans of World War I. The seven members representing the foregoing organizations shall be chosen from a list of twenty-one nominees consisting of three names submitted to the governor by each of the named organizations. The first members of the committee shall hold office as follows: Three members to serve two years; three members to serve three years; and three members to serve four years. Upon expiration of said original terms, subsequent appointments shall be for four years except in the case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term for which the vacancy occurs. No member shall serve more than two consecutive terms.

(2) The state advisory committee shall have the following powers and duties:

(a) To serve in an advisory capacity to the director and the governor on all matters pertaining to the department of veterans affairs;

(b) To acquaint themselves fully with the operations of the department and recommend such changes to the director as they deem advisable.

(3) Members of the state advisory committee shall receive no compensation for the performance of their duties but shall receive a per diem allowance and mileage expense according to the provisions of chapter 43.03 RCW.

**NEW SECTION.** Sec. 15. Nothing in this chapter shall be construed to affect any existing rights acquired under RCW 43.17.010, 43.17.020, 43.61.030, 43.61.040, 43.61.050, or 43.61.070, as now or hereafter amended, except as to the governmental agencies referred to and their officials and employees, nor as affecting any actions, activities, or proceedings validated thereunder, nor as affecting any civil or criminal proceedings instituted thereunder, nor any rule, regulation, or order promulgated thereunder, nor any administrative action taken thereunder; and neither the abolition of any agency or division thereof nor any transfer of powers, duties, and functions as provided herein, shall affect the validity of any act performed by such agency or division thereof or any officer thereof prior to the effective date of this amendatory act.

**NEW SECTION.** Sec. 16. Nothing contained in this chapter shall be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until any such agreement has expired or until any such bargaining unit has been modified by action of the personnel board as provided by law.

**NEW SECTION.** Sec. 17. The rule of strict construction shall have no application to this chapter and it shall be liberally construed in order to carry out the objective for which it is designed, in accordance with the legislative intent to give the director the maximum possible freedom in carrying the provisions of this chapter into effect.

**NEW SECTION.** Sec. 18. Sections 1 through 6 and 8 through 17 of this amendatory act shall constitute a new chapter in Title 43 RCW.

Sec. 19. Section 1, chapter 11, Laws of 1971 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of social and health services, (2) the department of ecology, (3) the department of labor and industries, (4) the department of agriculture, (5) the department of fisheries, (6) the department of game, (7) the department of highways, (8) the department of motor vehicles, (9) the department of general administration, (10) the department of commerce and economic development, (11) the department of veterans affairs, and ((++)) (12) the department of revenue, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 20. Section 2, chapter 11, Laws of 1971 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The secretary of social and health services, (2) the director of ecology, (3) the director of labor and industries, (4) the director of agriculture, (5) the director of fisheries, (6) the director of game, (7) the director of highways, (8) the director of motor vehicles, (9) the director of general administration, (10) the director of commerce and economic development, (11) the director of veterans affairs, and ((++)) (12) the director of revenue.

Such officers, except the director of highways and the director of game, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he shall present to that body his nomination for the office. The director of highways shall be appointed by the state highway commission, and the director of game shall be appointed by the game commission.

Sec. 21. Section 43.61.030, chapter 8, Laws of 1965 as last amended by section 5, chapter 189, Laws of 1971 ex. sess. and RCW 43.61.030 are each amended to read as follows:

The ((secretary)) director of veterans affairs is empowered to approve expenditures by any veterans' organizations, now or hereafter chartered by act of congress and to reimburse such organizations therefor. All sums paid to veterans' organizations shall be used by the organizations in the maintenance of a rehabilitation service and to assist veterans in the prosecution of their claims and the solution of their problems arising out of military service. Such service and assistance shall be rendered all veterans and their dependents and also all beneficiaries of any military claim, and shall include but not be limited to those services now rendered by the service departments of the respective ((council)) member organizations.

Sec. 22. Section 43.61.040, chapter 8, Laws of 1965 as last amended by section 6, chapter 189, Laws of 1971 ex. sess. and RCW 43.61.040 are each amended to read as follows:

The ((secretary)) director of veterans affairs shall make such rules and regulations as may be necessary to carry out the purposes of this chapter. The department shall furnish information, advice, and assistance to veterans and coordinate all programs and services in the field of veterans' claims service, education, health, vocational guidance and placement, and ((welfare)) services not provided by some other agency of the state or by the federal government. The ((secretary)) director shall submit a report of the departments' activities hereunder before the fifteenth of January of each year to the governor.

Sec. 23. Section 43.61.050, chapter 8, Laws of 1965 as amended by section 35, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.050 are each amended to read as follows:

There is created in the state treasury a fund to be known as the veterans' ((rehabilitation-council)) affairs account and no money shall be withdrawn therefrom except by warrant of the state treasurer for claims approved by the ((secretary)) director of veterans affairs and filed on proper forms.

Sec. 24. Section 43.61.070, chapter 8, Laws of 1965 as amended by section 36, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.070 are each amended to read as follows:

Payments to any veterans' organization shall first be approved by the ((secretary)) director of veterans affairs and insofar as possible shall be made on an equitable basis for work done.

NEW SECTION. Sec. 25. If any provision of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On page 1, line 13 of the title after "43.61.070;" insert "adding a new section to chapter 41.06 RCW; and"

On page 1, line 14 of the title after "43 RCW" insert a period and strike the remainder of the title.

Signed by Representatives Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin.

MINORITY recommendation: Do not pass. Signed by Representative Sommers, Chairwoman.

To Committee on Rules for second reading.

April 29, 1975

SENATE BILL NO. 2024, Prime Sponsor: Senator Walgren, changing certain hearing requirements regarding franchises along public highways. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Bender, Ceccarelli, Chandler, Clemente, Dunlap, Gaines, Gilleland, Hansen, Hayner, Laughlin, Leckenby, McCormick, Patterson, Wilson.

To Committee on Rules for second reading.

April 29, 1975

SUBSTITUTE SENATE BILL NO. 2110, Original Prime Sponsor: Senator Walgren, enacting the model traffic ordinance. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Bond, Ceccarelli, Chandler, Charnley, Clemente, Dunlap, Gaines, Gilleland, Hansen, Hayner, Leckenby, Lee, Lysen, McCormick, Patterson, Schumaker, Seberger, Sherman, Wilson.

To Committee on Rules for second reading.

April 29, 1975

ENGROSSED SENATE BILL NO. 2117, Prime Sponsor: Senator Walgren, providing for the execution of conveyances by the director of the department of highways. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Bond, Ceccarelli, Chandler, Charnley, Clemente, Douthwaite, Dunlap, Gaines, Gilleland, Hansen, Hayner, Leckenby, Lee, Lysen, McCormick, Patterson, Schumaker, Seberger, Sherman, Wilson.

To Committee on Rules for second reading.

April 29, 1975

SENATE BILL NO. 2328, Prime Sponsor: Senator Guess, providing a change in the distribution and utilization of motor vehicle fuel and use taxes. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Bender, Bond, Ceccarelli, Charnley, Clemente, Douthwaite, Dunlap, Gaines, Gilleland, Hansen, Hayner, Laughlin, Leckenby, McCormick, Patterson, Sherman, Wilson.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Thompson, the House advanced to the seventh order of business.

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 75, by Committee on Constitution and Elections (Originally sponsored by Representatives King, Chandler, Fortson and Lysen):

Making changes in the laws relating to voter registration.

The bill was read the third time and placed on final passage.

Representatives King, Moon and Kilbury spoke in favor of passage of the bill, and Representative Brown spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 75, and the bill passed the House by the following vote: Yeas, 57; nays, 36; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn.

Voting nay: Representatives Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Hendricks, Jastad, Juelling, Kuehnle, Leckenby, Lee, Luders, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Not voting: Representatives Amen, Eng, Williams, Zimmerman, and Mr. Speaker.

Substitute House Bill No. 75, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 154, by Representative Nelson:

Revising regulations on charitable solicitation.

The bill was read the third time and placed on final passage.

Mr. Nelson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 154, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Charnley, Kilbury.

Not voting: Representatives Eng, Williams.

Engrossed House Bill No. 154, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 209, by Representatives Martinis and Wilson:**

Authorizing signs on school bus stop shelters.

The bill was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 209, and the bill passed the House by the following vote: Yeas, 89; nays, 6; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Berentson, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Chandler, Ehlers, Sherman, Tilly, Whiteside.

Not voting: Representatives Bender, Eng, Williams.

Engrossed House Bill No. 209, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SIGNED BY THE SPEAKER**

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:  
**SENATE BILL NO. 2074.**

**MOTION FOR RECONSIDERATION**

Mr. Bender, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Substitute House Bill No. 435 passed the House.

Mr. Bender spoke in favor of the motion, and Representatives Seeberger and Newhouse spoke against it.

Mr. Thompson demanded a Call of the House, and the demand was sustained.

**CALL OF THE HOUSE**

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Williams.

**MOTION**

Mr. Thompson moved that the absent member be excused and the House proceed with business under the Call of the House.

**POINT OF PARLIAMENTARY INQUIRY**

Mr. Randall: "Is it possible, under our parliamentary rules, to defer consideration for one more day, considering that reconsideration is called for this day?"

**SPEAKER'S RULING (MR. O'BRIEN PRESIDING)**

The Speaker (Mr. O'Brien presiding): "It's possible if the motion to reconsider carries, but right now we have a motion by Representative Thompson to excuse the absent member and proceed under the Call of the House."

Mr. Randall: "I'm not asking that. I'm asking is the motion to reconsider possible to be set over to the next day?"

The Speaker (Mr. O'Brien presiding): "No, the motion to reconsider must be taken up today. If it's acted upon favorably then you can move to set the bill over to tomorrow."

Representatives Randall and Lysen spoke against the motion to excuse the absent member and proceed with business under the Call of the House.

#### ROLL CALL

The Clerk called the roll on the motion to excuse the absent member and proceed with business under the Call of the House, and the motion was carried by the following vote: Yeas, 54; nays, 43; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Bausch, Berentson, Bond, Brown, Ceccarelli, Chatalas, Curtis, Deccio, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Newhouse, O'Brien, Pardini, Paris, Patterson, Perry, Polk, Schumaker, Shinpoch, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Becker, Bender, Blair, Boldt, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eng, Fischer, Fortson, Hanna, Hansen, Hawkins, Hurley G. S., Kalich, King, Lee, Lysen, Maxie, McKibbin, Moon, Moreau, Nelson, North, Parker, Peterson, Randall, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle.

Not voting: Representative Williams.

The Speaker assumed the Chair.

The Speaker stated the question before the House to be the motion to reconsider the vote by which Engrossed Substitute House Bill No. 435<sub>2</sub> passed the House.

Mr. Conner demanded an oral roll call and the demand was sustained.

Mr. Savage spoke in favor of the motion, and Mr. Peterson spoke against it.

Mr. Luders demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which Engrossed Substitute House Bill No. 435 passed the House, and the motion was not carried by the following vote: Yeas, 43; nays, 54; not voting, 1.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaspard, Hanna, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Lysen, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle.

Voting nay: Representatives Adams, Amen, Barnes, Berentson, Bond, Ceccarelli, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Knowles, Kuehnle, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Schumaker, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Williams.

#### MOTION

Mr. Moon moved that House Bill No. 673 be referred to Committee on Rules.

#### SPEAKER'S RULING

The Speaker: "Representative Moon, your motion is in the wrong order of business. That would have to be done either in the eighth order of business or it could possibly be done under Reports of Standing Committees."

#### THIRD READING

**SUBSTITUTE HOUSE BILL NO. 247**, by Committee on Judiciary (Originally sponsored by Representatives Thompson, Hayner, Adams, Eikenberry, Erickson, Newhouse, Haley, Bond, Matthews and Paris):

Limiting period during which medical malpractice actions can be brought to six years.

The bill was read the third time and placed on final passage.

Representatives Thompson, Haley, Eikenberry and Hayner spoke in favor of the bill, and Representative Seeberger spoke against it.



ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 247, and the bill passed the House by the following vote: Yeas, 91; nays, 7; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Cochrane, Gaspard, Knowles, McKibbin, Seeberger, Warnke.

Not voting: Representative Williams.

Substitute House Bill No. 247, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, Representative Luders was excused from the Call of the House.

SUBSTITUTE HOUSE BILL NO. 296, by Committee on Social and Health Services (Originally sponsored by Representative Sommers - by Department of Social and Health Services request):

Increasing petty cash account limit.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 296, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Luders, Williams.

Substitute House Bill No. 296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 325, by Committee on Commerce (Originally sponsored by Representatives O'Brien, Bausch and Warnke):

Licensing and regulating massage practitioners.

The bill was read the third time and placed on final passage.

Mr. O'Brien spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Pardini.

Mr. Pardini: "What I am concerned about, Representative O'Brien, with the state board granting the license will local police officials still have some control of the massage parlors—closing them down, that type of thing?"

Mr. O'Brien: "Yes, they have. As a matter of fact, local authorities and the Prosecuting Attorneys' Association in the state of Washington have supported this piece of legislation for

the primary purpose of having these practitioners licensed so they will have some control over who is actually doing this type of service."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 325, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Fischer, Haley, Matthews, Moon, Parker, Wojahn, and Mr. Speaker.

Not voting: Representatives Luders, Williams.

Substitute House Bill No. 325, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, the House dispensed with further business under the Call of the House.

**SUBSTITUTE HOUSE BILL NO. 409**, by Committee on Commerce (Originally sponsored by Representatives Barnes, Hansen, Haussler and Curtis):

Classifying electrician licenses as general and specialty.

The bill was read the third time and placed on final passage.

Representatives Hansen and Barnes spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 409, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Dunlap, Haley.

Not voting: Representatives Charette, Luders, Matthews, Williams.

Substitute House Bill No. 409, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 423**, by Representatives Laughlin, Bagnariol, Flanagan, Schumaker, Fortson and O'Brien:

Requiring that notice of a correction made to assessment of property be mailed by the assessor to the taxpayer by certified rather than registered mail.

The bill was read the third time and placed on final passage.

Mr. Laughlin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 423, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente,

Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Luders, Williams.

Engrossed House Bill No. 423, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 494**, by Committee on Education (Originally sponsored by Representatives Warnke, Bausch, O'Brien and Bauer):

Setting out standards for administration of medication to common school pupils providing superintendent of public instruction recommend ratio of pupils to registered full-time school nurse.

The bill was read the third time and placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

**POINT OF INQUIRY**

Mr. Warnke yielded to question by Mr. Eikenberry.

Mr. Eikenberry: "Would passage of this law give the physician the authority to determine and administer any medication? Are oral contraceptives included in this terminology of medication?"

Mr. Warnke: "The answer to the second question is no. The answer to your first question—were you asking, can a doctor prescribe and give medication under this bill?"

Mr. Eikenberry: "Yes, the point being, may he do so without having checked with the parents of the child first?"

Mr. Warnke: "I think you are getting into the area of the Good Samaritan Act. I don't know whether you are meaning in the case of an accident in school or in the case of prescribed medicine. I simply couldn't answer that."

Mr. Eikenberry: "I wasn't getting to the immediate need situation or the accident area. I just wanted to know if this bill would expand the authority of a physician to administer medication in a routine situation without prior authorization from the parents of the child?"

Mr. Warnke: "I would answer no. I was not trying to address that question with this bill, but really we are trying to address the question of employees who work in a school district, who, within the scope of their job, might be requested by the parent or the doctor to give prescribed medicine to the children in that school. I guess I would have to refer you to Representative Knowles. He could interpret this bill in that area for you; I'm not an attorney."

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 494, and the bill passed the House by the following vote: Yeas, 85; nays, 9; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Chandler, Eikenberry, Flanagan, Freeman, Juelling, Lee, Matthews, Paris.

Not voting: Representatives Luders, Nelson, Parker, Williams.

Substitute House Bill No. 494, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 521, by Representatives Charnley, Eikenberry, Wojahn, Sommers, Haley, Hendricks, Knowles, Kilbury, Hurley (George) and Cochrane:

Making housing cooperative units eligible for the retired persons' property tax exemption.

The bill was read the third time and placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 521, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Conner, Luders, Williams.

House Bill No. 521, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 526, by Representatives Fortson, Brown and McKibbin (by Superintendent of Public Instruction request):

Giving added responsibility and authority to intermediate school districts.

The bill was read the third time and placed on final passage.

Mrs. Fortson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 526, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hayner, Leckenby, Luders, Williams.

Engrossed House Bill No. 526, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 575, by Representatives Wojahn, Curtis and Warnke:

Permitting embargo of hazardous household substances.

The bill was read the third time and placed on final passage.

Ms. Wojahn spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 575, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry,

Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Luders, Williams.

Engrossed House Bill No. 575, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 612, by Representatives Gallagher, Deccio and Wojahn:

Revising laws relating to accountants.

The bill was read the third time and placed on final passage.

Mr. Gallagher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 612, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Eng.

Not voting: Representatives Luders, Valle, Williams.

Engrossed House Bill No. 612, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 664, by Committee on Transportation and Utilities (Originally sponsored by Representatives Bauer, Sommers, Nelson, Douthwaite, Thompson, McCormick, Valle, McKibbin, Laughlin and Zimmerman):

Establishing minimum thermal insulation standards.

The bill was read the third time and placed on final passage.

Representatives Bauer and Douthwaite spoke in favor of the bill, and Mr. Kuehnle spoke against it.

POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Greengo.

Mr. Greengo: "Does this bill require the use of double pane windows, thermal pane type windows in home construction?"

Mr. Bauer: "Yes."

Representatives Greengo and Polk spoke in opposition to the bill.

POINT OF INQUIRY

Mr. Polk yielded to question by Mr. Smith (Rick).

Mr. Smith (Rick): "Could you help me to understand what that 20% figure is that you mentioned? Would you relate some samples of home construction that would be below or above that 20%?"

Mr. Polk: "If you had a house that if you measured around the outside of the house and it was 100 feet perimeter, and in linear measurement 20 feet of that would be glass, then I would judge it to be 20% of the exterior wall surface as being glass. I think there is a reasonable question of interpretation whether it is just linear measurement or if it is the square footage of the perimeter that is to be measured and then 20% of that square footage. I believe there is some question as to how that is to be interpreted. Most appropriate I believe would be the square footage, but if you had 20% of that perimeter, then you would have to do one

of three things: (1) Either buy thermal pane, which is premanufactured, presealed double pane glass; or (2) put in double thickness of glass with ventilation to relieve the space in between to prevent condensation; or (3) what is referred to in the bill as approved storm sash. I don't know what approved storm sash is or who approves it, but those are the three options that the 20% requires."

Mr. Smith (Rick): "Could you give me any idea of what percentage of conventional home construction, single family residence, today would be above that 20%? Do you have any guess at all?"

Mr. Polk: "No, I can't."

Mr. Perry spoke in favor of the bill, and Mr. Kuehnle again spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 664, and the bill passed the House by the following vote: Yeas, 66; nays, 27; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Hanna, Hansen, Hansey, Hawkins, Hurley G. S., Hurley M., Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Martinis, Matthews, Maxie, McCormick, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Curtis, Dunlap, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Haussler, Hayner, Hendricks, Jastad, Juelling, Kalich, Kuehnle, Lysen, May, Moon, Polk, Schumaker, Tilly, Wilson, Wojahn.

Not voting: Representatives Luders, McKibbin, Pardini, Seeberger, Williams.

Engrossed Substitute House Bill No. 664, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 683**, by Representatives Ceccarelli, Pardini and Chatalas:

Providing new regulations for banks and banking relating to illegal or unsound practices.

The bill was read the third time and placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 683, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Luders, Williams.

House Bill No. 683, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 687**, by Representatives Hansen, Flanagan, Bauer, Kilbury and Lysen:

Providing for exemption of irrigation equipment from sales and use tax.

The bill was read the third time and placed on final passage.

Representatives Kilbury and Hansen spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Hansen yielded to question by Mrs. North.

Mrs. North: "In the case where a renter installs the system, how do you handle the real estate tax?"

Mr. Hansen: "It would be part of the consideration, I believe, Representative North. It would be the same as if you rented a piece of property and you built, and it was part of the consideration, to put a barn on this property. It would remain part of the real property. You're talking about a hand-moved system that is movable—the biggest part of our sprinkler systems are not movable and if it would be the desire of the lessee to make this stipulation then he would have the right to remove it, the same as you would have the right to remove the barn if that is in the contract when you leased the land."

Mrs. North: "I was thinking of the case where you may have a lease for 5 years or so and the lessee has installed this equipment sometime during that time, need the lease be redrawn?"

Mr. Hansen: "Yes. The Department of Natural Resources, when they break out a piece of land and put it out for bids, the bids come in for a certain amount of money and the installation of the system. The system at the end of the lease period becomes part of the Department of Natural Resources ground."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 687, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Chandler, Eng, Sommers, Wojahn.

Not voting: Representatives Chatalas, Conner, Luders, Nelson, Williams.

Engrossed House Bill No. 687, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 695, by Representatives Smith (Rick), Eikenberry, Charette, Newhouse and Hayner:

Clarifying filing and service requirements for enforcing liens.

The bill was read the third time and placed on final passage.

Representatives Smith (Rick), Eikenberry and Kuehnle spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 695, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chatalas, Conner, Williams.

House Bill No. 695, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed as conferees on Engrossed House Bill No. 385 Representatives Amen, Hansen and Kilbury.

## MESSAGE FROM THE SENATE

May 1, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2300,  
SENATE BILL NO. 2647,  
SENATE BILL NO. 2892,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 2300,  
SENATE BILL NO. 2647,  
SENATE BILL NO. 2892.

## MESSAGE FROM THE SENATE

May 1, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 861,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## THIRD READING

HOUSE BILL NO. 752, by Representatives Clemente and Hendricks:

Reaffirming permissible expenses school districts may expend preliminary to finalizing of budgets.

The bill was read the third time and placed on final passage.

Mr. Clemente spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 752, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Moreau, Williams.

House Bill No. 752, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 780, by Committee on Social and Health Services (Originally sponsored by Representatives Fischer and Wojahn):

Establishing sickle cell disease testing and counseling program in the department of health.

The bill was read the third time and placed on final passage.

Mr. Fischer spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 780, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer,



Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Williams.

Substitute House Bill No. 780, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 796, by Representatives Thompson and Hayner:

Providing for transfer of rental deposit with change of landlords.

The bill was read the third time and placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Thompson, in light of the new trust account language contained in House Bill No. 796, I would like to clarify a point. If a property management firm holds in its trust account on behalf of the owner of the property those damage deposits belonging to the tenants, would the terms of this bill require, in case the property is sold but the same management company is retained, that the damage deposits be transferred to a different trust account?"

Mr. Thompson: "Representative Kuehnle, the answer is no. The same account would qualify in accordance with this act, but I think in order to carry out the intent and to clear the act, the tenant should be notified of such transfer."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 796, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charney, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Hansey, Leckenby, Moon, Williams.

House Bill No. 796, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 818, by Committee on Transportation and Utilities (Originally sponsored by Representatives Thompson, Berentson and Conner):

Providing regulations on removal of motor vehicles from private property.

The bill was read the third time and placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 818, and the bill passed the House by the following vote: Yeas, 82; nays, 15; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson,

Perry, Polk, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Chandler, Charnley, Freeman, Gaines, Gallagher, Gilleland, Hurley G. S., Kuehnle, Lee, Lysen, Nelson, Peterson, Randall, Schumaker.

Not voting: Representative Williams.

Engrossed Substitute House Bill No. 818, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF PERSONAL PRIVILEGE

Mr. Thompson: "Earlier today Representative Perry and I were the object of some levity here on the floor of the House and I would like to comment on that if I may. I'm not suggesting that our motives have been impugned, but I would like to point out to the membership that my vote against reconsideration of Engrossed Substitute House Bill No. 435 was consistent with my vote for the bill yesterday. I would also like to describe for some of the newer members of the House something that I was involved in as a new member of the House of Representatives. In 1967 Representative Perry introduced a floor resolution which called upon the Bonneville Power Administration not to grant a large block of power to an aluminum company that was seeking sites within this state. The 'Whereases' in that resolution pointed to an impending power shortage, to the low employment afforded by this industry and to the dirty process that was proposed to be employed by this plant. The House of Representatives adopted that floor resolution and the next day I sponsored a floor resolution which rescinded that action. I learned later that Representative Perry had shown considerable foresight in anticipating the power shortage and the labor problems and the environmental problems that we have today. I have apologized to Representative Perry privately for that action, admitting that he was right; this gives me a chance to do it publicly. I think he has shown the same foresight in this issue and I was happy to support him on this bill."

#### MOTION

On motion of Mr. Charette, all bills passed to this point in the proceedings were ordered transmitted immediately to the Senate.

#### POINT OF PERSONAL PRIVILEGE

Mr. Randall: "Mr. Speaker, I think after some of the actions on the floor of the House today, it strengthens my convictions of the exemplary posture of the bicameral legislature."

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representative Williams, who was excused.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 825, by Representatives Bauer, McKibbin and Blair:

Changing amount authorized as deferred compensation for school employees.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 825, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler,

Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Hanna, Hurley M., Kuehnle, Luders, O'Brien, Polk, Williams.

Engrossed House Bill No. 825, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 975**, by Committee on Education (Originally sponsored by Representative McKibbin):

Requiring notice of nonrenewal of teacher's supplemental contract.

The bill was read the third time and placed on final passage.

Mr. McKibbin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 975, and the bill passed the House by the following vote: Yeas, 78; nays, 15; not voting, 5.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansey, Hawkins, Hendricks, Hurley G. S., Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, Pardini, Paris, Parker, Perry, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Eikenberry, Flanagan, Hansen, Haussler, Hayner, Jastad, Lee, Matthews, Patterson, Peterson, Schumaker, Tilly, Whiteside.

Not voting: Representatives Adams, Hanna, Hurley M., O'Brien, Williams.

Substitute House Bill No. 975, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 1035**, by Representatives Kilbury, Savage, Charnley and Hawkins:

Removing nonapplication of environmental impact report to thermal power plant sites.

The bill was read the third time and placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "The environmental impact statement in connection with the thermal power plant sites is an extremely significant matter since these are very large power plants we are talking about. My question is: Why does the present law require both a federal environmental impact statement and a state environmental impact statement? If we, by this act, exempt the requirement for the state EIS, are you positive that we will not run afoul of any of the federal and state requirements pursuant to the CEPA, NEPA acts?"

Mr. Kilbury: "In answer to the first part of your question, I can only speculate. In response to your second question, I would say that it does not eliminate any requirements."

Mr. Douthwaite: "What kind of a guarantee can you give us that by this act we are not jeopardizing some of the protections which we have guaranteed to ourselves in the past?"

Mr. Kilbury: "I don't think there are any guarantees that we have made in the past that are not assured by this, primarily because the environmental impact statement under NEPA is almost precisely the exact same statement that has been submitted under CEPA."

Mr. Conner spoke against passage of the bill.

Mr. Kilbury spoke again in favor of the bill, and Mr. Conner spoke again in opposition to it.

Representatives Savage and Perry spoke in favor of passage of the bill, and Mr. Douthwaite spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1035, and the bill passed the House by the following vote: Yeas, 84; nays, 12; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnosh, Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Chandler, Charette, Cochrane, Conner, Douthwaite, Maxie, North, Peterson, Smith E. P., Smith R., Valle.

Not voting: Representatives Adams, Williams.

Engrossed House Bill No. 1035, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien assumed the Chair.

**SUBSTITUTE HOUSE BILL NO. 1141**, by Committee on Transportation and Utilities (Originally sponsored by Representatives Gaines, Parker, Martinis, Sherman, North, Patterson, Dunlap, Freeman, Gilleland and Polk):

Providing for expedited decision regarding construction of highway between Bellevue and Seattle.

The bill was read the third time and placed on final passage.

Mr. Gaines spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1141, and the bill passed the House by the following vote: Yeas, 70; nays, 25; not voting, 3.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Bond, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Polk, Savage, Schumaker, Seeberger, Shipnosh, Smith E. P., Sommers, Thompson, Tilly, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Blair, Boldt, Brown, Chandler, Charnley, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Greengo, Haley, Hawkins, Hendricks, Hurley G. S., Lee, Lysen, Maxie, Paris, Peterson, Randall, Sherman, Smith R., Valle.

Not voting: Representatives Adams, Williams, Wilson.

Substitute House Bill No. 1141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 1148**, by Representatives Erickson, Eikenberry and Williams:

Requiring property tax exemption applications every four years.

The bill was read the third time and placed on final passage.

Representatives Erickson and Amen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1148, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby,

Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Boldt, Cochrane, Hawkins, Moon.

Not voting: Representatives Adams, Williams.

Engrossed House Bill No. 1148, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1204**, by Committee on Agriculture (Originally sponsored by Representatives Becker, Kilbury, Zimmerman and Tilly):

Relating to artificial honey products.

The bill was read the third time and placed on final passage.

Representatives Becker, Kilbury, Charette, Haussler and Barnes spoke in favor of the bill, and Representatives Newhouse, Sommers, Eikenberry and Charnley spoke against it.

Ms. Becker spoke again in favor of the bill, and Mr. Eikenberry again spoke against it.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1204, and the bill passed the House by the following vote: Yeas, 60; nays, 36; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, May, McCormick, Moon, Moreau, O'Brien, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Thompson, Tilly, Valle, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Bausch, Bond, Brown, Chandler, Charnley, Curtis, Dunlap, Eikenberry, Eng, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Hurley M., Jueling, King, Kuehnle, Leckenby, Matthews, Maxie, McKibbin, Nelson, Newhouse, North, Pardini, Paris, Peterson, Shinpoch, Smith R., Sommers, Warnke, Wilson.

Not voting: Representatives Parker, Williams.

Engrossed Substitute House Bill No. 1204, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE JOINT MEMORIAL NO. 19**, by Representatives Fortson, Perry, Hansey, North, Hansen, Martinis and Ceccarelli:

Memorializing the President and Congress not to change the line of demarcation for inland waters.

The memorial was placed on third reading and final passage.

Mrs. Fortson spoke in favor of passage of the memorial.

**ROLL CALL**

The Clerk called the roll on the final passage of House Joint Memorial No. 19, and the memorial passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hayner, Williams.

House Joint Memorial No. 19, having received the constitutional majority, was declared passed.

**HOUSE CONCURRENT RESOLUTION NO. 22**, by Representatives Hansey and Berentson:

Proposing coordinated traffic safety efforts.

The resolution was read the third time and placed on final passage.

Mr. Hansey spoke in favor of the resolution and it was adopted.

**SUBSTITUTE SENATE BILL NO. 2183**, by Committee on Commerce (Originally sponsored by Senator Day – by Department of Motor Vehicles request):

Providing for the establishment of fees for businesses and professions.

The bill was read the third time and placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2183, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Parker, Williams.

Substitute Senate Bill No. 2183, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SENATE JOINT MEMORIAL NO. 110** (as amended by the House), by Senators Sandison, Peterson, Benitz and Morrison:

Memorializing Congress to exempt duck hunting from requirements of federal environmental policy act.

The memorial was read the third time and placed on final passage.

Mr. Conner spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 110 as amended by the House, and the memorial passed the House by the following vote: Yeas, 89; nays, 6; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Charnley, Cochrane, Douthwaite, King, Valle.

Not voting: Representatives Dunlap, Freeman, Williams.

Senate Joint Memorial No. 110 as amended by the House, having received the constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

We wish our votes to be recorded as "Yes" on Senate Joint Memorial No. 110.

RON DUNLAP, 41st District.  
KEMPER FREEMAN, 48th District.

MOTION

On motion of Mr. Thompson, the House advanced to the eleventh order of business.

NOTICE OF RECONSIDERATION WITHDRAWN

Mr. Ceccarelli announced that he would not move for reconsideration of the vote by which Engrossed Substitute House Bill No. 457 failed to pass the House.

MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, May 2, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FIFTIETH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Friday, May 2, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karen Buehler and Tom Halvorson. Prayer was offered by Reverend Charles A. Loyer of Westminster United Presbyterian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

May 1, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2507, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 1, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 2125, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 1, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2650, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 1, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 131,

HOUSE BILL NO. 474,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 1, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2108,

ENGROSSED SENATE BILL NO. 2401,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2108, by Senators Clarke, Francis and Jones (by Uniform Law Commission request):

Enacting the uniform foreign money-judgments recognition act.

To Committee on Judiciary



ENGROSSED SENATE BILL NO. 2401, by Senators Grant, Mardesich, Bailey and Ridder:

Providing for adjustment of workmen's compensation payments.

To Committee on Labor

REPORTS OF STANDING COMMITTEES

April 30, 1975

HOUSE BILL NO. 93, Prime Sponsor: Representative Haussler, requiring uniform jail standards. Reported by Committee on Local Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Berentson, Cochrane, Fischer, Lee, McCormick, North, Paris, Smith (Edward), Whiteside, Wilson, Zimmerman.

To Committee on Rules for second reading.

April 30, 1975

HOUSE BILL NO. 597, Prime Sponsor: Representative Gaspard, vesting director of motor vehicles with power to investigate and enjoin violations of franchise investment protection act. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Greengo, O'Brien, Wojahn.

To Committee on Rules for second reading.

May 1, 1975

HOUSE BILL NO. 880, Prime Sponsor: Representative Luders, water resource management. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Bauer, Becker, Chandler, Charnley, Douthwaite, Flanagan, Hansen, Hawkins, Zimmerman.

To Committee on Rules for second reading.

May 1, 1975

HOUSE BILL NO. 1119, Prime Sponsor: Representative Parker, coordinating and surveying the health care delivery system. Reported by Committee on Rules.

To Committee on Ways and Means - Appropriations.

April 30, 1975

HOUSE JOINT MEMORIAL NO. 26, Prime Sponsor: Representative Becker, memorializing Congress. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute memorial be substituted therefor and that the substitute memorial do pass. Signed by Representatives Kilbury, Chairman; Becker, Vice Chairwoman; Amen, Erickson, Flanagan, Hansen, Hansey, Haussler, Laughlin.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SENATE BILL NO. 2070, Prime Sponsor: Senator Francis, revising regulations and payments to victims of crimes. Reported by Committee on Rules.

To Committee on Ways and Means - Appropriations.

April 30, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2092, Prime Sponsor: Senator Francis, enacting a new criminal code for crime against persons. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:  
Strike all material after the enacting clause and insert the following:

"CHAPTER 9A.04  
PRELIMINARY ARTICLE

**NEW SECTION. Sec. 9A.04.010. TITLE, EFFECTIVE DATE, APPLICATION, SEVERABILITY, CAPTIONS.** (1) This title shall be known and may be cited as the Washington Criminal Code and shall become effective on July 1, 1976.

(2) The provisions of this title shall apply to any offense committed on or after July 1, 1976, which is defined in this title or the general statutes, unless otherwise expressly provided or unless the context otherwise requires, and shall also apply to any defense to prosecution for such an offense.

(3) The provisions of this title do not apply to or govern the construction of and punishment for any offense committed prior to the effective date of this title, or to the construction and application of any defense to a prosecution for such an offense. Such an offense must be construed and punished according to the provisions of law existing at the time of the commission thereof in the same manner as if this title had not been enacted.

(4) If any provision of this title, or its application to any person or circumstance is held invalid, the remainder of the title, or the application of the provision to other persons or circumstances is not affected, and to this end the provisions of this title are declared to be severable.

(5) Chapter, section, and subsection captions are for organizational purposes only and shall not be construed as part of this title.

**NEW SECTION. Sec. 9A.04.020. PURPOSES—PRINCIPLES OF CONSTRUCTION.** (1) The general purposes of the provisions governing the definition of offenses are:

(a) To forbid and prevent conduct that inflicts or threatens substantial harm to individual or public interests;

(b) To safeguard conduct that is without culpability from condemnation as criminal;

(c) To give fair warning of the nature of the conduct declared to constitute an offense;

(d) To differentiate on reasonable grounds between serious and minor offenses, and to prescribe proportionate penalties for each.

(2) The provisions of this title shall be construed according to the fair import of their terms but when the language is susceptible of differing constructions it shall be interpreted to further the general purposes stated in this title.

**NEW SECTION. Sec. 9A.04.030. STATE CRIMINAL JURISDICTION.** The following persons are liable to punishment:

(1) A person who commits in the state any crime, in whole or in part.

(2) A person who commits out of the state any act which, if committed within it, would be theft and is afterward found in the state with any of the stolen property.

(3) A person who being out of the state, counsels, causes, procures, aids, or abets another to commit a crime in this state.

(4) A person who, being out of the state, abducts or kidnaps by force or fraud, any person, contrary to the laws of the place where the act is committed, and brings, sends, or conveys such person into this state.

(5) A person who commits an act without the state which affects persons or property within the state, which, if committed within the state, would be a crime.

**NEW SECTION. Sec. 9A.04.040. CLASSES OF CRIMES.** (1) An offense defined by this title or by any other statute of this state, for which a sentence of imprisonment is authorized, constitutes a crime. Crimes are classified as felonies, gross misdemeanors, or misdemeanors.

(2) A crime is a felony if it is so designated in this title or by any other statute of this state or if persons convicted thereof may be sentenced to imprisonment for a term in excess of one year. A crime is a misdemeanor if it is so designated in this title or by any other statute of this state or if persons convicted thereof may be sentenced to imprisonment for no more than ninety days. Every other crime is a gross misdemeanor.

**NEW SECTION. Sec. 9A.04.050. PEOPLE CAPABLE OF COMMITTING CRIMES.** Children under the age of eight years are incapable of committing crime. Children of eight and under twelve years of age are presumed to be incapable of committing crime, but this presumption may be removed by proof that they have sufficient capacity to understand the act or neglect, and to know that it was wrong. Whenever in legal proceedings it becomes necessary to determine the age of a child, he may be produced for inspection, to enable the court or jury to determine the age thereby; and the court may also direct his examination by one or more physicians, whose opinion shall be competent evidence upon the question of his age.

**NEW SECTION. Sec. 9A.04.060. COMMON LAW TO SUPPLEMENT STATUTE.** The provisions of the common law relating to the commission of crime and the punishment thereof, insofar as not inconsistent with the constitution and statutes of this state, shall supplement all penal statutes of this state and all persons offending against the same shall be tried in the courts of this state having jurisdiction of the offense.

**NEW SECTION. Sec. 9A.04.070. WHO AMENABLE TO CRIMINAL STATUTES.** Every person, regardless of whether or not he is an inhabitant of this state, may be tried and punished under the laws of this state for an offense committed by him therein, except when such offense is cognizable exclusively in the courts of the United States.

**NEW SECTION. Sec. 9A.04.080. LIMITATION OF ACTIONS.** Prosecutions for the offenses of murder, and arson where death ensues, may be commenced at any period after the commission of the offense; for offenses the punishment of which may be imprisonment in a state correctional institution,

committed by any public officer in connection with the duties of his office or constituting a breach of his public duty or a violation of his oath of office, within ten years after their commission; for all other offenses the punishment of which may be imprisonment in a state correctional institution, within three years after their commission; two years for gross misdemeanors; and for all other offenses, within one year after their commission: PROVIDED, That any length of time during which the party charged was not usually and publicly resident within this state shall not be reckoned within the one, two, three, and ten years respectively; AND FURTHER PROVIDED, That where an indictment has been found, or complaint or an information filed, within the time limited for the commencement of a criminal action, if the indictment, complaint or information be set aside, the time of limitation shall be extended by the length of time from the time of filing of such indictment, complaint, or information, to the time such indictment, complaint, or information was set aside.

**NEW SECTION. Sec. 9A.04.090. APPLICATION OF GENERAL PROVISIONS OF THE CODE.** The provisions of chapters 9A.04 through 9A.28 of this title are applicable to offenses defined by this title or another statute, unless this title or such other statute specifically provides otherwise.

**NEW SECTION. Sec. 9A.04.100. PROOF BEYOND A REASONABLE DOUBT.** (1) Every person charged with the commission of a crime is presumed innocent unless proved guilty. No person may be convicted of a crime unless each element of such crime is proved by competent evidence beyond a reasonable doubt.

(2) When a crime has been proven against a person, and there exists a reasonable doubt as to which of two or more degrees he is guilty, he shall be convicted only of the lowest degree.

**NEW SECTION. Sec. 9A.04.110. DEFINITIONS.** In this title unless a different meaning plainly is required:

- (1) "Acted" includes, where relevant, omitted to act;
- (2) "Actor" includes, where relevant, a person failing to act;
- (3) "Benefit" is any gain or advantage to the beneficiary, including any gain or advantage to a third person pursuant to the desire or consent of the beneficiary;
- (4) "Bodily injury" or "physical injury" means physical pain, illness, or an impairment of physical condition;
- (5) "Building", in addition to its ordinary meaning, includes any dwelling, fenced area, vehicle, railway car, cargo container, or any other structure used for lodging of persons or for carrying on business therein, or for the use, sale or deposit of goods; each unit of a building consisting of two or more units separately secured or occupied is a separate building;
- (6) "Deadly weapon" means any explosive or loaded or unloaded firearm, and shall include any other weapon, device, instrument, article, or substance, including a "vehicle" as defined in this section, which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious bodily injury;
- (7) "Dwelling" means any building or structure, though movable or temporary, or a portion thereof, which is used or ordinarily used by a person for lodging;
- (8) "Government" includes any branch, subdivision, or agency of the government of this state and any county, city, district, or other local governmental unit;
- (9) "Governmental function" includes any activity which a public servant is legally authorized or permitted to undertake on behalf of a government;
- (10) "Indicted" and "indictment" include "informed against" and "information", and "informed against" and "information" include "indicted" and "indictment";
- (11) "Judge" includes every judicial officer authorized alone or with others, to hold or preside over a court;
- (12) "Malice" and "maliciously" shall import an evil intent, wish, or design to vex, annoy, or injure another person. Malice may be inferred from an act done in wilful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a wilful disregard of social duty;
- (13) "Officer" and "public officer" means a person holding office under a city, county, or state government, or the federal government who performs a public function and in so doing is vested with the exercise of some sovereign power of government, and includes all assistants, deputies, clerks, and employees of any public officer and all persons lawfully exercising or assuming to exercise any of the powers or functions of a public officer;
- (14) "Omission" means a failure to act;
- (15) "Peace officer" means a duly appointed city, county, or state law enforcement officer;
- (16) "Pecuniary benefit" means any gain or advantage in the form of money, property, commercial interest, or anything else the primary significance of which is economic gain;
- (17) "Person", "he", and "actor" include any natural person and, where relevant, a corporation, joint stock association, or an unincorporated association;
- (18) "Place of work" includes but is not limited to all the lands and other real property of a farm or ranch in the case of an actor who owns, operates, or is employed to work on such a farm or ranch;
- (19) "Prison" means any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest, including but not limited to any state correctional institution or any county or city jail;
- (20) "Prisoner" includes any person held in custody under process of law, or under lawful arrest;
- (21) "Property" means anything of value, whether tangible or intangible, real or personal;

(22) "Public servant" means any person other than a witness who presently occupies the position of or has been elected, appointed, or designated to become any officer or employee of government, including a legislator, judge, judicial officer, juror, and any person participating as an advisor, consultant, or otherwise in performing a governmental function;

(23) "Signature" includes any memorandum, mark, or sign made with intent to authenticate any instrument or writing, or the subscription of any person thereto;

(24) "Statute" means the Constitution or an act of the legislature or initiative or referendum of this state;

(25) "Threat" means to communicate, directly or indirectly the intent:

(a) To cause bodily injury in the future to the person threatened or to any other person; or

(b) To cause physical damage to the property of a person other than the actor; or

(c) To subject the person threatened or any other person to physical confinement or restraint; or

(d) To accuse any person of a crime or cause criminal charges to be instituted against any person; or

(e) To expose a secret or publicize an asserted fact, whether true or false, tending to subject any person to hatred, contempt, or ridicule; or

(f) To reveal any information sought to be concealed by the person threatened; or

(g) To testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or

(h) To take wrongful action as an official against anyone or anything, or wrongfully withhold official action, or cause such action or withholding; or

(i) To bring about or continue a strike, boycott, or other similar collective action to obtain property which is not demanded or received for the benefit of the group which the actor purports to represent; or

(j) To do any other act which is intended to harm substantially the person threatened or another with respect to his health, safety, business, financial condition, or personal relationships.

(26) "Vehicle" means a "motor vehicle" as defined in the vehicle and traffic laws, any aircraft, or any vessel equipped for propulsion by mechanical means or by sail;

(27) Words in the present tense shall include the future tense; and in the masculine shall include the feminine and neuter genders; and in the singular shall include the plural; and in the plural shall include the singular.

#### CHAPTER 9A.08 PRINCIPLES OF LIABILITY

NEW SECTION. Sec. 9A.08.010. GENERAL REQUIREMENTS OF CULPABILITY. (1) Kinds of Culpability Defined.

(a) Intent. A person acts with intent or intentionally when he acts with the objective or purpose to accomplish a result which constitutes a crime.

(b) Knowledge. A person knows or acts knowingly or with knowledge when:

(i) he is aware of a fact, facts, or circumstances or result described by a statute defining an offense; or

(ii) he has information which would lead a reasonable man in the same situation to believe that facts exist which facts are described by a statute defining an offense.

(c) Recklessness. A person is reckless or acts recklessly when he knows of and disregards a substantial risk that a wrongful act may occur and his disregard of such substantial risk is a gross deviation from conduct that a reasonable man would exercise in the same situation.

(d) Criminal Negligence. A person is criminally negligent or acts with criminal negligence when he fails to be aware of a substantial risk that a wrongful act may occur and his failure to be aware of such substantial risk constitutes a gross deviation from the standard of care that a reasonable man would exercise in the same situation.

(2) Substitutes for Criminal Negligence, Recklessness, and Knowledge. When a statute provides that criminal negligence suffices to establish an element of an offense, such element also is established if a person acts intentionally, knowingly, or recklessly. When recklessness suffices to establish an element, such element also is established if a person acts intentionally or knowingly. When acting knowingly suffices to establish an element, such element also is established if a person acts intentionally.

(3) Culpability as Determinant of Grade of Offense. When the grade or degree of an offense depends on whether the offense is committed intentionally, knowingly, recklessly, or with criminal negligence, its grade or degree shall be the lowest for which the determinative kind of culpability is established with respect to any material element of the offense.

(4) Requirement of Wilfulness Satisfied by Acting Knowingly. A requirement that an offense be committed wilfully is satisfied if a person acts knowingly with respect to the material elements of the offense, unless a purpose to impose further requirements plainly appears.

#### NEW SECTION. Sec. 9A.08.020. LIABILITY FOR CONDUCT OF ANOTHER—COMPLICITY.

(1) A person is guilty of a crime if it is committed by the conduct of another person for which he is legally accountable.

(2) A person is legally accountable for the conduct of another person when:

(a) Acting with the kind of culpability that is sufficient for the commission of the crime, he causes an innocent or irresponsible person to engage in such conduct; or

(b) He is made accountable for the conduct of such other person by this title or by the law defining the crime; or

(c) He is an accomplice of such other person in the commission of the crime.

(3) A person is an accomplice of another person in the commission of a crime if:

- (a) With knowledge that it will promote or facilitate the commission of the crime, he
  - (i) solicits, commands, encourages, or requests such other person to commit it; or
  - (ii) aids or agrees to aid such other person in planning or committing it; or
- (b) His conduct is expressly declared by law to establish his complicity.
- (4) A person who is legally incapable of committing a particular crime himself may be guilty thereof if it is committed by the conduct of another person for which he is legally accountable, unless such liability is inconsistent with the purpose of the provision establishing his incapacity.
- (5) Unless otherwise provided by this title or by the law defining the crime, a person is not an accomplice in a crime committed by another person if:
  - (a) He is a victim of that crime; or
  - (b) He terminates his complicity prior to the commission of the crime and gives timely warning to the law enforcement authorities or otherwise makes a good faith effort to prevent the commission of the crime.
- (6) A person legally accountable for the conduct of another person may be convicted on proof of the commission of the crime and of his complicity therein, though the person claimed to have committed the crime has not been prosecuted or convicted or has been convicted of a different crime or degree of crime or has an immunity to prosecution or conviction or has been acquitted.

**NEW SECTION. Sec. 9A.08.030. CRIMINAL LIABILITY OF CORPORATIONS AND PERSONS ACTING OR UNDER A DUTY TO ACT IN THEIR BEHALF.** (1) As used in this section:

- (a) "Agent" means any director, officer, or employee of a corporation, or any other person who is authorized to act on behalf of the corporation;
- (b) "Corporation" includes a joint stock association;
- (c) "High managerial agent" means an officer or director of a corporation or any other agent in a position of comparable authority with respect to the formulation of corporate policy or the supervision in a managerial capacity of subordinate employees.

(2) A corporation is guilty of an offense when:

- (a) The conduct constituting the offense consists of an omission to discharge a specific duty of performance imposed on corporations by law; or
- (b) The conduct constituting the offense is engaged in, authorized, solicited, requested, commanded, or tolerated by the board of directors or by a high managerial agent acting within the scope of his employment and on behalf of the corporation; or
- (c) The conduct constituting the offense is engaged in by an agent of the corporation, other than a high managerial agent, while acting within the scope of his employment and in behalf of the corporation and (i) the offense is a gross misdemeanor or misdemeanor, or (ii) the offense is one defined by a statute which clearly indicates a legislative intent to impose such criminal liability on a corporation.

(3) A person is criminally liable for conduct constituting an offense which he performs or causes to be performed in the name of or on behalf of a corporation to the same extent as if such conduct were performed in his own name or behalf.

(4) Whenever a duty to act is imposed by law upon a corporation, any agent of the corporation who knows he has or shares primary responsibility for the discharge of the duty is criminally liable for a reckless or, if a high managerial agent, criminally negligent omission to perform the required act to the same extent as if the duty were by law imposed directly upon such agent.

(5) Every corporation, whether foreign or domestic, which shall violate any provision of section 9A.28.040, shall forfeit every right and franchise to do business in this state. The attorney general shall begin and conduct all actions and proceedings necessary to enforce the provisions of this subsection.

**CHAPTER 9A.12  
INSANITY**

**NEW SECTION. Sec. 9A.12.010. INSANITY.** To establish the defense of insanity, it must be shown that:

- (1) At the time of the commission of the offense, as a result of mental disease or defect, the mind of the actor was affected to such an extent that:
  - (a) He was unable to perceive the nature and quality of the act with which he is charged; or
  - (b) He was unable to tell right from wrong with reference to the particular act charged.
- (2) The defense of insanity must be established by a preponderance of the evidence.

**CHAPTER 9A.16  
DEFENSES**

**NEW SECTION. Sec. 9A.16.010. DEFINITIONS.** In this chapter, unless a different meaning is plainly required:

"Necessary" means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended.

**NEW SECTION. Sec. 9A.16.020. USE OF FORCE - WHEN LAWFUL.** The use, attempt, or offer to use force upon or toward the person of another shall not be unlawful in the following cases:

- (1) Whenever necessarily used by a public officer in the performance of a legal duty, or a person assisting him and acting under his direction;
- (2) Whenever necessarily used by a person arresting one who has committed a felony and delivering him to a public officer competent to receive him into custody;
- (3) Whenever used by a party about to be injured, or by another lawfully aiding him, in preventing or attempting to prevent an offense against his person, or a malicious trespass, or other malicious interference

with real or personal property lawfully in his possession, in case the force is not more than shall be necessary;

(4) Whenever used in a reasonable and moderate manner by a parent or his authorized agent, a guardian, master, or teacher in the exercise of lawful authority, to restrain or correct his child, ward, apprentice, or scholar;

(5) Whenever used by a carrier of passengers or his authorized agent or servant, or other person assisting them at their request in expelling from a carriage, railway car, vessel, or other vehicle, a passenger who refuses to obey a lawful and reasonable regulation prescribed for the conduct of passengers, if such vehicle has first been stopped and the force used is not more than shall be necessary to expel the offender with reasonable regard to his personal safety;

(6) Whenever used by any person to prevent a mentally retarded person or a mentally ill person from committing an act dangerous to himself or another, or in enforcing necessary restraint for the protection of his person, or his restoration to health, during such period only as shall be necessary to obtain legal authority for the restraint or custody of his person.

**NEW SECTION. Sec. 9A.16.030. HOMICIDE -- WHEN EXCUSABLE.** Homicide is excusable when committed by accident or misfortune in doing any lawful act by lawful means, with ordinary caution and without any unlawful intent.

**NEW SECTION. Sec. 9A.16.040. JUSTIFIABLE HOMICIDE BY PUBLIC OFFICER.** Homicide is justifiable when committed by a public officer, or person acting under his command and in his aid, in the following cases:

(1) In obedience to the judgment of a competent court.

(2) When necessary to overcome actual resistance to the execution of the legal process, mandate, or order of a court or officer, or in the discharge of a legal duty.

(3) When necessary in retaking an escaped or rescued prisoner who has been committed, arrested for, or convicted of a felony; or in arresting a person who has committed a felony and is fleeing from justice; or in attempting, by lawful ways or means, to apprehend a person for a felony actually committed; or in lawfully suppressing a riot or preserving the peace.

**NEW SECTION. Sec. 9A.16.050. HOMICIDE—BY OTHER PERSON -- WHEN JUSTIFIABLE.** Homicide is also justifiable when committed either:

(1) In the lawful defense of the slayer, or his or her husband, wife, parent, child, brother, or sister, or of any other person in his presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished; or

(2) In the actual resistance of an attempt to commit a felony upon the slayer, in his presence, or upon or in a dwelling, or other place of abode, in which he is.

**NEW SECTION. Sec. 9A.16.060. DURESS.** (1) In any prosecution for a crime, it is a defense that:

(a) The actor participated in the crime under compulsion by another who by threat or use of force created an apprehension in the mind of the actor that in case of refusal he or another would be liable to immediate death or immediate grievous bodily injury; and

(b) That such apprehension was reasonable upon the part of the actor; and

(c) That the actor would not have participated in the crime except for the duress involved.

(2) The defense of duress is not available if the crime charged is murder or manslaughter.

(3) The defense of duress is not available if the actor intentionally or recklessly places himself in a situation in which it is probable that he will be subject to duress.

(4) The defense of duress is not established solely by a showing that a married person acted on the command of his or her spouse.

**NEW SECTION. Sec. 9A.16.070. ENTRAPMENT.** (1) In any prosecution for a crime, it is a defense that:

(a) The criminal design originated in the mind of law enforcement officials, or any person acting under their direction, and

(b) The actor was lured or induced to commit a crime which the actor had not otherwise intended to commit.

(2) The defense of entrapment is not established by a showing only that law enforcement officials merely afforded the actor an opportunity to commit a crime.

**NEW SECTION. Sec. 9A.16.080. ACTION FOR BEING DETAINED ON MERCANTILE ESTABLISHMENT PREMISES FOR INVESTIGATION—"REASONABLE GROUNDS" AS DEFENSE.** In any criminal action brought by reason of any person having been detained on or in the immediate vicinity of the premises of a mercantile establishment for the purpose of investigation or questioning as to the ownership of any merchandise, it shall be a defense of such action that the person was detained in a reasonable manner and for not more than a reasonable time to permit such investigation or questioning by a peace officer, by the owner of the mercantile establishment, or by the owner's authorized employee or agent, and that such peace officer, owner, employee, or agent had reasonable grounds to believe that the person so detained was committing or attempting to commit theft or shoplifting on such premises of such merchandise. As used in this section, "reasonable grounds" shall include, but not be limited to, knowledge that a person has concealed possession of unpurchased merchandise of a mercantile establishment, and a "reasonable time" shall mean the time necessary to permit the person detained to make a statement or to refuse to make a statement, and the time necessary to examine employees and records of the mercantile establishment relative to the ownership of the merchandise.

**NEW SECTION. Sec. 9A.16.090. INTOXICATION.** No act committed by a person while in a state of voluntary intoxication shall be deemed less criminal by reason of his condition, but whenever the actual existence of any particular mental state is a necessary element to constitute a particular species or degree of crime, the fact of his intoxication may be taken into consideration in determining such mental state.

#### CHAPTER 9A.20

#### CLASSIFICATION OF CRIMES

**NEW SECTION. Sec. 9A.20.010. CLASSIFICATION AND DESIGNATION OF CRIMES. (1) Classified Felonies.** (a) The particular classification of each felony defined in Title 9A RCW is expressly designated in the section defining it.

(b) For purposes of sentencing, classified felonies are designated as one of three classes, as follows:

- (i) Class A felony; or
- (ii) Class B felony; or
- (iii) Class C felony.

(2) **Misdemeanors and Gross Misdemeanors.** (a) Any crime punishable by a fine of not more than five hundred dollars, or by imprisonment in a county jail for not more than ninety days, or by both such fine and imprisonment is a misdemeanor. Whenever the performance of any act is prohibited by any statute, and no penalty for the violation of such statute is imposed, the committing of such act shall be a misdemeanor.

(b) All crimes other than felonies and misdemeanors are gross misdemeanors.

**NEW SECTION. Sec. 9A.20.020. AUTHORIZED SENTENCES OF OFFENDERS. (1) Felony.** Every person convicted of a classified felony shall be punished as follows:

(a) For a Class A felony, by imprisonment in a state correctional institution for a maximum term fixed by the court of not less than twenty years or by a fine of not more than ten thousand dollars or by both such imprisonment and fine;

(b) For a Class B felony, by imprisonment in a state correctional institution for a maximum term fixed by the court of not more than ten years or by a fine of not more than ten thousand dollars or by both such imprisonment and fine;

(c) For a Class C felony, by imprisonment in a state correctional institution for a maximum term fixed by the court of not more than five years or by a fine of not more than five thousand dollars or by both such imprisonment and fine.

(2) **Gross Misdemeanor.** Every person convicted of a gross misdemeanor defined in Title 9A RCW shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than one year or by a fine of not more than one thousand dollars or by both such imprisonment and fine.

(3) **Misdemeanor.** Every person convicted of a misdemeanor defined in Title 9A RCW shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days or by a fine of not more than five hundred dollars or by both such imprisonment and fine.

**NEW SECTION. Sec. 9A.20.030. ALTERNATIVE TO A FINE. (1)** If a person has gained money or property or caused a victim to lose money or property through the commission of a crime, upon conviction thereof the court, in lieu of imposing the fine authorized for the offense under section 9A.20.020, may order the defendant to pay an amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the commission of a crime. Such amount may be used to provide restitution to the victim at the order of the court. In such case the court shall make a finding as to the amount of the defendant's gain or victim's loss from the crime, and if the record does not contain sufficient evidence to support such finding the court may conduct a hearing upon the issue. For purposes of this section, the terms "gain" or "loss" refer to the amount of money or the value of property or services gained or lost.

(2) Notwithstanding any other provision of law, this section also applies to any corporation or joint stock association found guilty of any crime.

**NEW SECTION. Sec. 9A.20.040. PROSECUTIONS RELATED TO FELONIES DEFINED OUTSIDE TITLE 9A RCW.** In any prosecution under this title where the grade or degree of a crime is determined by reference to the degree of a felony for which the defendant or another previously had been sought, arrested, charged, convicted, or sentenced, if such felony is defined by a statute of this state which is not in Title 9A RCW, unless otherwise provided:

(1) If the maximum sentence of imprisonment authorized by law upon conviction of such felony is twenty years or more, such felony shall be treated as a Class A felony for purposes of this title;

(2) If the maximum sentence of imprisonment authorized by law upon conviction of such felony is eight years or more, but less than twenty years, such felony shall be treated as a Class B felony for purposes of this title;

(3) If the maximum sentence of imprisonment authorized by law upon conviction of such felony is less than eight years, such felony shall be treated as a Class C felony for purposes of this title.

#### CHAPTER 9A.28

#### ANTICIPATORY OFFENSES

**NEW SECTION. Sec. 9A.28.010. PROSECUTIONS BASED ON FELONIES DEFINED OUTSIDE TITLE 9A RCW.** In any prosecution under this title for attempt, solicitation, or conspiracy to commit a felony defined by a statute of this state which is not in this title, unless otherwise provided:

(1) If the maximum sentence of imprisonment authorized by law upon conviction of such felony is twenty years or more, such felony shall be treated as a Class A felony for purposes of this title;

(2) If the maximum sentence of imprisonment authorized by law upon conviction of such felony is eight years or more but less than twenty years, such felony shall be treated as a Class B felony for purposes of this title;

(3) If the maximum sentence of imprisonment authorized by law upon conviction of such felony is less than eight years, such felony shall be treated as a Class C felony for purposes of this title.

**NEW SECTION. Sec. 9A.28.020. CRIMINAL ATTEMPT.** (1) A person is guilty of an attempt to commit crime if, with intent to commit a specific crime, he does any act which is a substantial step toward the commission of that crime.

(2) If the conduct in which a person engages otherwise constitutes an attempt to commit a crime, it is no defense to a prosecution of such attempt that the crime charged to have been attempted was, under the attendant circumstances, factually or legally impossible of commission.

(3) An attempt to commit a crime is a:

(a) Class A felony when the crime attempted is murder in the first degree;

(b) Class B felony when the crime attempted is a Class A felony other than murder in the first degree;

(c) Class C felony when the crime attempted is a Class B felony;

(d) Gross misdemeanor when the crime attempted is a Class C felony;

(e) Misdemeanor when the crime attempted is a gross misdemeanor or misdemeanor.

**NEW SECTION. Sec. 9A.28.030. CRIMINAL SOLICITATION.** (1) A person is guilty of criminal solicitation when, with intent to promote or facilitate the commission of a crime, he offers to give or gives money or other thing of value to another to engage in specific conduct which would constitute such crime or which would establish complicity of such other person in its commission or attempted commission had such crime been attempted or committed.

(2) Criminal solicitation shall be punished in the same manner as criminal attempt under section 9A.28.020.

**NEW SECTION. Sec. 9A.28.040. CRIMINAL CONSPIRACY.** (1) A person is guilty of criminal conspiracy when, with intent that conduct constituting a crime be performed, he agrees with one or more persons to engage in or cause the performance of such conduct, and any one of them takes a substantial step in pursuance of such agreement.

(2) It shall not be a defense to criminal conspiracy that the person or persons with whom the accused is alleged to have conspired:

(a) Has not been prosecuted or convicted; or

(b) Has been convicted of a different offense; or

(c) Is not amenable to justice; or

(d) Has been acquitted; or

(e) Lacked the capacity to commit an offense.

(3) Criminal conspiracy is a:

(a) Class A felony when an object of the conspiratorial agreement is murder in the first degree;

(b) Class B felony when an object of the conspiratorial agreement is a Class A felony other than murder in the first degree;

(c) Class C felony when an object of the conspiratorial agreement is a Class B felony;

(d) Gross misdemeanor when an object of the conspiratorial agreement is a Class C felony;

(e) Misdemeanor when an object of the conspiratorial agreement is a gross misdemeanor or misdemeanor.

#### CHAPTER 9A.32

##### HOMICIDE

**NEW SECTION. Sec. 9A.32.010. HOMICIDE DEFINED.** Homicide is the killing of a human being by the act, procurement or omission of another and is either (1) murder, (2) manslaughter, (3) excusable homicide, or (4) justifiable homicide.

**NEW SECTION. Sec. 9A.32.020. PREMEDITATION; LIMITATIONS.** (1) As used in this chapter, the premeditation required in order to support a conviction of the crime of murder in the first degree must involve more than a moment in point of time.

(2) Nothing contained in this chapter shall affect RCW 46.61.520.

**NEW SECTION. Sec. 9A.32.030. MURDER IN THE FIRST DEGREE.** (1) A person is guilty of murder in the first degree when:

(a) With a premeditated intent to cause the death of another person, he causes the death of such person or of a third person; or

(b) Under circumstances manifesting an extreme indifference to human life, he engages in conduct which creates a grave risk of death to any person, and thereby causes the death of a person; or

(c) He commits or attempts to commit the crime of either (1) robbery, in the first or second degree, (2) rape in the first or second degree, (3) burglary in the first degree, (4) arson in the first degree, or (5) kidnapping, in the first or second degree, and, in the course of and in furtherance of such crime or in immediate flight therefrom, he, or another participant, causes the death of a person other than one of the participants; except that in any prosecution under this subdivision (1)(c) in which the defendant was not the only participant in the underlying crime, if established by the defendant by a preponderance of the evidence, it is a defense that the defendant:

(i) Did not commit the homicidal act or in any way solicit, request, command, importune, cause, or aid the commission thereof; and



(ii) Was not armed with a deadly weapon, or any instrument, article, or substance readily capable of causing death or serious physical injury; and

(iii) Had no reasonable grounds to believe that any other participant was armed with such a weapon, instrument, article, or substance; and

(iv) Had no reasonable grounds to believe that any other participant intended to engage in conduct likely to result in death or serious physical injury.

(2) Murder in the first degree is a Class A felony.

**NEW SECTION. Sec. 9A.32.040. MURDER IN THE FIRST DEGREE - SENTENCE.** Notwithstanding section 9A.32.030(2), any person convicted of the crime of murder in the first degree shall be sentenced to life imprisonment.

**NEW SECTION. Sec. 9A.32.050. MURDER IN THE SECOND DEGREE.** (1) A person is guilty of murder in the second degree when:

(a) With intent to cause the death of another person but without premeditation, he causes the death of such person or of a third person; or

(b) He commits or attempts to commit any felony other than those enumerated in section 9A.32.030(c), and, in the course of and in furtherance of such crime or in immediate flight therefrom, he, or another participant, causes the death of a person other than one of the participants; except that in any prosecution under this subdivision (1)(b) in which the defendant was not the only participant in the underlying crime, if established by the defendant by a preponderance of the evidence, it is a defense that the defendant:

(i) Did not commit the homicidal act or in any way solicit, request, command, importune, cause, or aid the commission thereof; and

(ii) Was not armed with a deadly weapon, or any instrument, article, or substance readily capable of causing death or serious physical injury; and

(iii) Had no reasonable grounds to believe that any other participant was armed with such a weapon, instrument, article, or substance; and

(iv) Had no reasonable grounds to believe that any other participant intended to engage in conduct likely to result in death or serious physical injury.

(2) Murder in the second degree is a Class A felony.

**NEW SECTION. Sec. 9A.32.060. MANSLAUGHTER IN THE FIRST DEGREE.** (1) A person is guilty of manslaughter in the first degree when:

(a) He recklessly causes the death of another person; or

(b) He intentionally and unlawfully kills an unborn quick child by inflicting any injury upon the mother of such child.

(2) Manslaughter in the first degree is a Class B felony.

**NEW SECTION. Sec. 9A.32.070. MANSLAUGHTER IN THE SECOND DEGREE.** (1) A person is guilty of manslaughter in the second degree when, with criminal negligence, he causes the death of another person.

(2) Manslaughter in the second degree is a Class C felony.

#### CHAPTER 9A.36

#### ASSAULT

**NEW SECTION. Sec. 9A.36.010. ASSAULT IN THE FIRST DEGREE.** (1) Every person, who with intent to kill a human being, or to commit a felony upon the person or property of the one assaulted, or of another, shall be guilty of assault in the first degree when he:

(a) Shall assault another with a firearm or any deadly weapon or by any force or means likely to produce death; or

(b) Shall administer to or cause to be taken by another, poison or any other destructive or noxious thing so as to endanger the life of another person.

(2) Assault in the first degree is a Class A felony.

**NEW SECTION. Sec. 9A.36.020. ASSAULT IN THE SECOND DEGREE.** (1) Every person who, under circumstances not amounting to assault in the first degree shall be guilty of assault in the second degree when he:

(a) With intent to injure, shall unlawfully administer to or cause to be taken by another, poison or any other destructive or noxious thing, or any drug or medicine the use of which is dangerous to life or health; or

(b) Shall knowingly inflict grievous bodily harm upon another with or without a weapon; or

(c) Shall knowingly assault another with a weapon or other instrument or thing likely to produce bodily harm; or

(d) Shall knowingly assault another with intent to commit a felony; or

(e) With criminal negligence, shall cause physical injury to another person by means of a weapon or other instrument or thing likely to produce bodily harm shall be guilty of assault in the second degree.

(2) Assault in the second degree is a Class B felony.

**NEW SECTION. Sec. 9A.36.030. ASSAULT IN THE THIRD DEGREE.** (1) Every person who, under circumstances not amounting to assault in either the first or second degree, shall assault another with intent to prevent or resist the execution of any lawful process or mandate of any court officer, or the lawful apprehension or detention of himself or another person shall be guilty of assault in the third degree.

(2) Assault in the third degree is a Class C felony.

**NEW SECTION. Sec. 9A.36.040. SIMPLE ASSAULT.** (1) Every person who shall commit an assault or an assault and battery not amounting to assault in either the first, second, or third degree shall be guilty of simple assault.

(2) Simple assault is a gross misdemeanor.

**NEW SECTION. Sec. 9A.36.050. RECKLESS ENDANGERMENT.** (1) A person is guilty of reckless endangerment when he recklessly engages in conduct which creates a substantial risk of death or serious physical injury to another person.

(2) Reckless endangerment is a gross misdemeanor.

**NEW SECTION. Sec. 9A.36.060. PROMOTING A SUICIDE ATTEMPT.** (1) A person is guilty of promoting a suicide attempt when he knowingly causes or aids another person to attempt suicide.

(2) Promoting a suicide attempt is a Class C felony.

**NEW SECTION. Sec. 9A.36.070. COERCION.** (1) A person is guilty of coercion if by use of a threat he compels or induces a person to engage in conduct which the latter has a legal right to abstain from, or to abstain from conduct which he has a legal right to engage in.

(2) "Threat" as used in this section means:

(a) To communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) Threats as defined in section 9A.04.110(25)(a), (b), or (c).

(3) Coercion is a gross misdemeanor.

#### CHAPTER 9A.40

##### KIDNAPING

**NEW SECTION. Sec. 9A.40.010. DEFINITIONS.** The following definitions apply in this chapter:

(1) "Restrain" means to restrict a person's movements without consent and without legal authority in a manner which interferes substantially with his liberty. Restraint is "without consent" if it is accomplished by (a) physical force, intimidation, or deception, or (b) any means including acquiescence of the victim, if he is a child less than sixteen years old or an incompetent person and if the parent, guardian, or other person or institution having lawful control or custody of him has not acquiesced.

(2) "Abduct" means to restrain a person by either (a) secreting or holding him in a place where he is not likely to be found, or (b) using or threatening to use deadly force;

(3) "Relative" means an ancestor, descendant, or sibling, including a relative of the same degree through marriage or adoption, or a spouse.

**NEW SECTION. Sec. 9A.40.020. KIDNAPING IN THE FIRST DEGREE.** (1) A person is guilty of kidnaping in the first degree if he intentionally abducts another person with intent:

(a) To hold him for ransom or reward, or as a shield or hostage; or

(b) To facilitate commission of any felony or flight thereafter; or

(c) To inflict bodily injury on him; or

(d) To inflict extreme mental distress on him or a third person; or

(e) To interfere with the performance of any governmental function.

(2) Kidnaping in the first degree is a Class A felony.

**NEW SECTION. Sec. 9A.40.030. KIDNAPING IN THE SECOND DEGREE.** (1) A person is guilty of kidnaping in the second degree if he intentionally abducts another person under circumstances not amounting to kidnaping in the first degree.

(2) In any prosecution for kidnaping in the second degree, it is a defense if established by the defendant by a preponderance of the evidence that (a) The abduction does not include the use of or intent to use or threat to use deadly force, and (b) the actor is a relative of the person abducted, and (c) the actor's sole intent is to assume custody of that person. Nothing contained in this paragraph shall constitute a defense to a prosecution for, or preclude a conviction of, any other crime.

(3) Kidnaping in the second degree is a Class B felony.

**NEW SECTION. Sec. 9A.40.040. UNLAWFUL IMPRISONMENT.** (1) A person is guilty of unlawful imprisonment if he knowingly restrains another person.

(2) Unlawful imprisonment is a Class C felony.

**NEW SECTION. Sec. 9A.40.050. CUSTODIAL INTERFERENCE.** (1) A person is guilty of custodial interference if, knowing that he has no legal right to do so, he takes or entices from lawful custody any incompetent person or other person entrusted by authority of law to the custody of another person or institution.

(2) Custodial interference is a gross misdemeanor.

#### CHAPTER 9A.48

##### ARSON AND MALICIOUS MISCHIEF

**NEW SECTION. Sec. 9A.48.010. DEFINITIONS.** (1) For the purpose of this title, as now or hereinafter amended, unless the context indicates otherwise:

(a) "Building" has the definition in 9A.04.110(5), and where a building consists of two or more units separately secured or occupied, each unit shall not be treated as a separate building;

(b) "Damages", in addition to its ordinary meaning, includes any charring, scorching, burning, or breaking, or agricultural or industrial sabotage, and shall include any diminution in the value of any property as a consequence of an act.

(2) To constitute arson it shall not be necessary that a person other than the actor should have had ownership in the building or structure damaged or set on fire.

**NEW SECTION. Sec. 9A.48.020. ARSON IN THE FIRST DEGREE.** (1) A person is guilty of arson in the first degree if he knowingly and maliciously:

- (a) Causes a fire or explosion which is manifestly dangerous to any human life including firemen; or
- (b) Causes a fire or explosion which damages a dwelling; or
- (c) Causes a fire or explosion in any building in which there shall be at the time a human being who is not a participant in the crime.

(2) Arson in the first degree is a Class A felony.

**NEW SECTION. Sec. 9A.48.030. ARSON IN THE SECOND DEGREE.** (1) A person is guilty of arson in the second degree if he knowingly and maliciously causes a fire or explosion which damages a building, or any structure or erection appurtenant to or joining any building, or any wharf, dock, machine, engine, automobile, or other motor vehicle, watercraft, aircraft, bridge, or trestle, or hay, grain, crop, or timber, whether cut or standing or any range land, or pasture land, or any fence, or any lumber, shingle, or other timber products, or any property.

(2) Arson in the second degree is a Class B felony.

**NEW SECTION. Sec. 9A.48.040. RECKLESS BURNING IN THE FIRST DEGREE.** (1) A person is guilty of reckless burning in the first degree if he recklessly damages a building or other structure or any vehicle, railway car, aircraft or watercraft or any hay, grain, crop, or timber whether cut or standing, by knowingly causing a fire or explosion.

(2) Reckless burning in the first degree is a Class C felony.

**NEW SECTION. Sec. 9A.48.050. RECKLESS BURNING IN THE SECOND DEGREE.** (1) A person is guilty of reckless burning in the second degree if he knowingly causes a fire or explosion, whether on his own property or that of another, and thereby recklessly places a building or other structure, or any vehicle, railway car, aircraft, or watercraft, or any hay, grain, crop or timber, whether cut or standing, in danger of destruction or damage.

(2) Reckless burning in the second degree is a gross misdemeanor.

**NEW SECTION. Sec. 9A.48.060. DEFENSE.** In any prosecution for the crime of reckless burning in the first or second degrees, it shall be a defense if the defendant establishes by a preponderance of the evidence that:

(a) No person other than the defendant had a possessory, or pecuniary interest in the damaged or endangered property, or if other persons had such an interest, all of them consented to the defendant's conduct; and

(b) The defendant's sole intent was to destroy or damage the property for a lawful purpose.

**NEW SECTION. Sec. 9A.48.070. MALICIOUS MISCHIEF IN THE FIRST DEGREE.** (1) A person is guilty of malicious mischief in the first degree if he knowingly and maliciously:

(a) Causes physical damage to the property of another in an amount exceeding one thousand five hundred dollars; or

(b) Causes an interruption or impairment of service rendered to the public by physically damaging or tampering with an emergency vehicle or property of the state, a political subdivision thereof, or a public utility or mode of public transportation, power, or communication.

(2) Malicious mischief in the first degree is a Class B felony.

**NEW SECTION. Sec. 9A.48.080. MALICIOUS MISCHIEF IN THE SECOND DEGREE.** (1) A person is guilty of malicious mischief in the second degree if he knowingly and maliciously:

(a) Causes physical damage to the property of another in an amount exceeding two hundred and fifty dollars; or

(b) Creates a substantial risk of interruption or impairment of service rendered to the public, by physically damaging or tampering with an emergency vehicle or property of the state, a political subdivision thereof, or a public utility or mode of public transportation, power, or communication.

(2) Malicious mischief in the second degree is a Class C felony.

**NEW SECTION. Sec. 9A.48.090. MALICIOUS MISCHIEF IN THE THIRD DEGREE.** (1) A person is guilty of malicious mischief in the third degree if he knowingly and maliciously causes physical damage to the property of another, under circumstances not amounting to malicious mischief in the first or second degree.

(2) Malicious mischief in the third degree is a gross misdemeanor if the damage to the property is in an amount exceeding fifty dollars; otherwise, it is a misdemeanor.

**NEW SECTION. Sec. 9A.48.100. DEFINITION.** For the purposes of sections 9A.48.070 through 9A.48.090 inclusive, "physical damage", in addition to its ordinary meaning, shall include the alteration, damage, or erasure of records, information, data, or computer programs which are electronically recorded for use in computers.

#### CHAPTER 9A.52 BURGLARY AND TRESPASS

**NEW SECTION. Sec. 9A.52.010. DEFINITIONS.** The following definitions apply in this chapter:

(1) "Premises" includes any building, dwelling, or any real property;

(2) "Enter". The word "enter" when constituting an element or part of a crime, shall include the entrance of the person, or the insertion of any part of his body, or any instrument or weapon held in his hand and used or intended to be used to threaten or intimidate a person or to detach or remove property;

(3) "Enters or remains unlawfully". A person "enters or remains unlawfully" in or upon premises when he is not then licensed, invited, or otherwise privileged to so enter or remain.

A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of a building which is not open to the public. A person who enters or remains upon unimproved and apparently unused land, which is neither fenced nor otherwise enclosed in a manner designed to exclude intruders, does so with license and privilege unless notice against trespass is personally communicated to him by the owner of the land or some other authorized person, or unless notice is given by posting in a conspicuous manner.

**NEW SECTION. Sec. 9A.52.020. BURGLARY IN THE FIRST DEGREE.** (1) A person is guilty of burglary in the first degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a dwelling and if, in entering or while in the dwelling or in immediate flight therefrom, the actor or another participant in the crime (a) is armed with a deadly weapon, or (b) assaults any person therein.

(2) Burglary in the first degree is a Class A felony.

**NEW SECTION. Sec. 9A.52.030. BURGLARY IN THE SECOND DEGREE.** (1) A person is guilty of burglary in the second degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a building.

(2) Burglary in the second degree is a Class B felony.

**NEW SECTION. Sec. 9A.52.040. INFERENCE OF INTENT.** In any prosecution for burglary, any person who enters or remains unlawfully in a building may be inferred to have acted with intent to commit a crime against a person or property therein, unless such entering or remaining shall be explained by evidence satisfactory to the trier of fact to have been made without such criminal intent.

**NEW SECTION. Sec. 9A.52.050. OTHER CRIME IN COMMITTING BURGLARY PUNISHABLE.** Every person who, in the commission of a burglary shall commit any other crime, may be punished therefor as well as for the burglary, and may be prosecuted for each crime separately.

**NEW SECTION. Sec. 9A.52.060. MAKING OR HAVING BURGLAR TOOLS.** (1) Every person who shall make or mend or cause to be made or mended, or have in his possession, any engine, machine, tool, false key, pick lock, bit, nippers, or implement adapted, designed, or commonly used for the commission of burglary under circumstances evincing an intent to use or employ, or allow the same to be used or employed in the commission of a burglary, or knowing that the same is intended to be so used, shall be guilty of making or having burglar tools.

(2) Making or having burglar tools is a gross misdemeanor.

**NEW SECTION. Sec. 9A.52.070. CRIMINAL TRESPASS IN THE FIRST DEGREE.** (1) A person is guilty of criminal trespass in the first degree if he knowingly enters or remains unlawfully in a building or on real property adjacent thereto or upon real property which is fenced or otherwise enclosed in a manner designed to exclude intruders.

(2) Criminal trespass in the first degree is a gross misdemeanor.

**NEW SECTION. Sec. 9A.52.080. CRIMINAL TRESPASS IN THE SECOND DEGREE.** (1) A person is guilty of criminal trespass in the second degree if he knowingly enters or remains unlawfully in or upon premises of another.

(2) Criminal trespass in the second degree is a misdemeanor.

**NEW SECTION. Sec. 9A.52.090. CRIMINAL TRESPASS—DEFENSES.** In any prosecution under sections 9A.52.070 and 9A.52.080, it is a defense that:

(1) A building involved in an offense under section 9A.52.070 was abandoned; or

(2) The premises were at the time open to members of the public and the actor complied with all lawful conditions imposed on access to or remaining in the premises; or

(3) The actor reasonably believed that the owner of the premises, or other person empowered to license access thereto, would have licensed him to enter or remain.

**NEW SECTION. Sec. 9A.52.100. VEHICLE PROWLING.** (1) A person is guilty of vehicle prowling if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a vehicle.

(2) Vehicle prowling is a gross misdemeanor.

#### CHAPTER 9A.56

#### THEFT AND ROBBERY

**NEW SECTION. Sec. 9A.56.010. DEFINITIONS.** The following definitions are applicable in this chapter unless the context otherwise requires:

(1) "Appropriate lost or misdelivered property or services" means obtaining or exerting control over the property or services of another which the actor knows to have been lost or mislaid, or to have been delivered under a mistake as to identity of the recipient or as to the nature or amount of the property;

(2) "By color or aid of deception" means that the deception operated to bring about the obtaining of the property or services; it is not necessary that deception be the sole means of obtaining the property or services;

(3) "Credit card" means any instrument or device, whether incomplete, revoked, or expired, whether known as a credit card, credit plate, charge plate, courtesy card, or by any other name, issued with or without fee for the use of the cardholder in obtaining money, goods, services, or anything else of value, including satisfaction of a debt or the payment of a check drawn by a cardholder, either on credit or in consideration of an undertaking or guarantee by the issuer;

(4) "Deception" occurs when an actor knowingly:

(a) Creates or confirms another's false impression which the actor knows to be false; or

(b) Fails to correct another's impression which the actor previously has created or confirmed; or

(c) Prevents another from acquiring information material to the disposition of the property involved; or

(d) Transfers or encumbers property without disclosing a lien, adverse claim, or other legal impediment to the enjoyment of the property, whether that impediment is or is not valid, or is or is not a matter of official record; or

(e) Promises performance which the actor does not intend to perform or knows will not be performed.

(5) "Deprive" in addition to its common meaning means to make unauthorized use or an unauthorized copy of records, information, data, trade secrets, or computer programs, provided that the aforementioned are of a private proprietary nature;

(6) "Obtain control over" in addition to its common meaning, means:

(a) In relation to property, to bring about a transfer or purported transfer to the obtainer or another of a legally recognized interest in the property; or

(b) In relation to labor or service, to secure performance thereof for the benefits of the obtainer or another;

(7) "Wrongfully obtains" or "exerts unauthorized control" means:

(a) To take the property or services of another; or

(b) Having any property or services in one's possession, custody or control as bailee, factor, pledgee, servant, attorney, agent, employee, trustee, executor, administrator, guardian, or officer of any person, estate, association, or corporation, or as a public officer, or person authorized by agreement or competent authority to take or hold such possession, custody, or control, to secrete, withhold, or appropriate the same to his own use or to the use of any person other than the true owner or person entitled thereto;

(8) "Owner" means a person, other than the actor, who has possession of or any other interest in the property or services involved, and without whose consent the actor has no authority to exert control over the property or services;

(9) "Receive" includes, but is not limited to, acquiring title, possession, control, or a security interest, or any other interest in the property;

(10) "Services" includes, but is not limited to, labor, professional services, transportation services, electronic computer services, the supplying of hotel accommodations, restaurant services, entertainment, the use of equipment for use, and the use supplying of commodities of a public utility nature such as gas, electricity, steam, and water;

(11) "Stolen" means obtained by theft, robbery, or extortion;

(12) Value. (a) "Value" means the market value of the property or services at the time and in the approximate area of the criminal act.

(b) Whether or not they have been issued or delivered, written instruments, except those having a readily ascertained market value, shall be evaluated as follows:

(i) The value of an instrument constituting an evidence of debt, such as a check, draft, or promissory note, shall be deemed the amount due or collectible thereon or thereby, that figure ordinarily being the face amount of the indebtedness less any portion thereof which has been satisfied;

(ii) The value of a ticket or equivalent instrument which evidences a right to receive transportation, entertainment, or other service shall be deemed the price stated thereon, if any; and if no price is stated thereon, the value shall be deemed the price of such ticket or equivalent instrument which the issuer charged the general public;

(iii) The value of any other instrument that creates, releases, discharges, or otherwise affects any valuable legal right, privilege, or obligation shall be deemed the greatest amount of economic loss which the owner of the instrument might reasonably suffer by virtue of the loss of the instrument.

(c) Whenever any series of transactions which constitute theft, would, when considered separately, constitute theft in the third degree because of value, and said series of transactions are a part of a common scheme or plan, then the transactions may be aggregated in one count and the sum of the value of all said transactions shall be the value considered in determining the degree of theft involved.

(d) Whenever any person is charged with possessing stolen property and such person has unlawfully in his possession at the same time the stolen property of more than one person, then the stolen property possessed may be aggregated in one count and the sum of the value of all said stolen property shall be the value considered in determining the degree of theft involved.

(e) Property or services having value that cannot be ascertained pursuant to the standards set forth above shall be deemed to be of a value not exceeding two hundred and fifty dollars.

**NEW SECTION. Sec. 9A.56.020. THEFT—DEFINITION, DEFENSE.** (1) "Theft" means: \*

(a) To wrongfully obtain or exert unauthorized control over the property or services of another or the value thereof, with intent to deprive him of such property or services; or

(b) By color or aid of deception to obtain control over the property or services of another or the value thereof, with intent to deprive him of such property or services; or

(c) To appropriate lost or misdelivered property or services of another, or the value thereof, with intent to deprive him of such property or services.

(2) In any prosecution for theft, it shall be a sufficient defense that the property or service was appropriated openly and avowedly under a claim of title preferred in good faith, even though the claim be untenable.

**NEW SECTION. Sec. 9A.56.030. THEFT IN THE FIRST DEGREE.** (1) A person is guilty of theft in the first degree if he commits theft of:

(a) Property or services which exceed(s) one thousand five hundred dollars in value; or

(b) Property of any value taken from the person of another.

(2) Theft in the first degree is a Class B felony.

**NEW SECTION. Sec. 9A.56.040. THEFT IN THE SECOND DEGREE.** (1) A person is guilty of theft in the second degree if he commits theft of:

(a) Property or services which exceed(s) two hundred and fifty dollars in value, but does not exceed one thousand five hundred dollars in value; or

(b) A public record, writing, or instrument kept, filed, or deposited according to law with or in the keeping of any public office or public servant; or

(c) A credit card; or

(d) A motor vehicle, of a value less than one thousand five hundred dollars.

(2) Theft in the second degree is a Class C felony.

**NEW SECTION. Sec. 9A.56.050. THEFT IN THE THIRD DEGREE.** (1) A person is guilty of theft in the third degree if he commits theft of property or services which does not exceed two hundred and fifty dollars in value.

(2) Theft in the third degree is a gross misdemeanor.

**NEW SECTION. Sec. 9A.56.060. UNLAWFUL ISSUANCE OF CHECKS OR DRAFTS.** (1) Any person who shall with intent to defraud, make, or draw, or utter, or deliver to another person any check, or draft, on a bank or other depository for the payment of money, knowing at the time of such drawing, or delivery, that he has not sufficient funds in, or credit with said bank or other depository, to meet said check or draft, in full upon its presentation, shall be guilty of unlawful issuance of bank check. The word "credit" as used herein shall be construed to mean an arrangement or understanding with the bank or other depository for the payment of such check or draft, and the uttering or delivery of such a check or draft to another person without such fund or credit to meet the same shall be prima facie evidence of an intent to defraud.

(2) Unlawful issuance of a bank check in an amount greater than two hundred and fifty dollars is a class C felony.

(3) Unlawful issuance of a bank check in an amount of two hundred and fifty dollars or less is a gross misdemeanor.

**NEW SECTION. Sec. 9A.56.070. TAKING MOTOR VEHICLE WITHOUT PERMISSION.** (1) Every person who shall without the permission of the owner or person entitled to the possession thereof intentionally take or drive away any automobile or motor vehicle, whether propelled by steam, electricity, or internal combustion engine, the property of another, shall be deemed guilty of a felony, and every person voluntarily riding in or upon said automobile or motor vehicle with knowledge of the fact that the same was unlawfully taken shall be equally guilty with the person taking or driving said automobile or motor vehicle and shall be deemed guilty of taking a motor vehicle without permission.

(2) Taking a motor vehicle without permission is a Class C felony.

**NEW SECTION. Sec. 9A.56.080. THEFT OF LIVESTOCK.** (1) Every person who, with intent to deprive or defraud the owner thereof, wilfully takes, leads, or transports away, conceals, withholds, slaughters, or otherwise appropriates to his own use any horse, mule, cow, heifer, bull, steer, swine, or sheep shall be guilty of theft of livestock.

(2) Theft of livestock is a Class B felony.

**NEW SECTION. Sec. 9A.56.090. PRESUMPTION ON FAILURE TO RETURN VEHICLE, MACHINERY, OR EQUIPMENT PURSUANT TO RENTAL OR LEASE AGREEMENT.** Any person to whom a motor vehicle, or piece of machinery or equipment having a fair market value in excess of one thousand five hundred dollars is delivered on a rental or lease basis under any agreement in writing providing for its return to a particular place at a particular time, who refuses or wilfully neglects to return such vehicle or piece of machinery or equipment after the expiration of a reasonable time after a notice in writing proved to have been duly mailed by registered or certified mail with return receipt requested addressed to the last known address of the person who rented or leased the motor vehicle, or piece of machinery or equipment, shall be presumed to have intended to deprive or defraud the owner thereof within the meaning of section 9A.56.020 defining the crime of theft. This presumption may be rebutted by evidence raising a reasonable inference that the failure to return the vehicle or piece of machinery or equipment was not with the intent to defraud or otherwise deprive the owner of his property.

**NEW SECTION. Sec. 9A.56.100. THEFT AND LARCENY EQUATED.** All offenses defined as larcenies outside of this title shall be treated as thefts as provided in this title.

**NEW SECTION. Sec. 9A.56.110. EXTORTION—DEFINITION.** "Extortion" means knowingly to obtain or attempt to obtain by threat property or services of the owner, as defined in section 9A.56.01(7).

**NEW SECTION. Sec. 9A.56.120. EXTORTION IN THE FIRST DEGREE.** (1) A person is guilty of extortion in the first degree if he commits extortion by means of a threat as defined in section 9A.04.110(25)(a), (b), or (c).

(2) Extortion in the first degree is a Class B felony.

**NEW SECTION. Sec. 9A.56.130. EXTORTION IN THE SECOND DEGREE.** (1) A person is guilty of extortion in the second degree if he commits extortion by means of a threat as defined in section 9A.04.110(25) (d) through (j).

(2) In any prosecution under this section based on a threat to accuse any person of a crime or cause criminal charges to be instituted against any person, it is a defense that the actor reasonably believed the

threatened criminal charge to be true and that his sole purpose was to compel or induce the person threatened to take reasonable action to make good the wrong which was the subject of such threatened criminal charge.

(3) Extortion in the second degree is a Class C felony.

**NEW SECTION. Sec. 9A.56.140. POSSESSING STOLEN PROPERTY—DEFINITION.** (1) "Possessing stolen property" means knowingly to receive, retain, possess, conceal, or dispose of stolen property knowing that it has been stolen and to withhold or appropriate the same to the use of any person other than the true owner or person entitled thereto.

(2) The fact that the person who stole the property has not been convicted, apprehended, or identified is not a defense to a charge of possessing stolen property.

(3) When a person not an issuer or agent thereof has in his possession or under his control stolen credit cards issued in the names of two or more persons, he shall be presumed to know that they are stolen. This presumption may be rebutted by evidence raising a reasonable inference that the possession of such stolen credit cards was without knowledge that they were stolen.

**NEW SECTION. Sec. 9A.56.150. POSSESSING STOLEN PROPERTY IN THE FIRST DEGREE.**

(1) A person is guilty of possessing stolen property in the first degree if he possesses stolen property which exceeds one thousand five hundred dollars in value.

(2) Possessing stolen property in the first degree is a Class B felony.

**NEW SECTION. Sec. 9A.56.160. POSSESSING STOLEN PROPERTY IN THE SECOND DEGREE.** (1) A person is guilty of possessing stolen property in the second degree if:

(a) He possesses stolen property which exceeds two hundred fifty dollars in value but does not exceed one thousand five hundred dollars in value; or

(b) He possesses a stolen public record, writing or instrument kept, filed, or deposited according to law; or

(c) He possesses a stolen credit card; or

(d) He possesses a stolen motor vehicle of a value less than one thousand five hundred dollars; or

(e) He possesses a stolen firearm.

(2) Possessing stolen property in the second degree is a Class C felony.

**NEW SECTION. Sec. 9A.56.170. POSSESSING STOLEN PROPERTY IN THE THIRD DEGREE.**

(1) A person is guilty of possessing stolen property in the third degree if he possesses stolen property which does not exceed two hundred fifty dollars in value.

(2) Possessing stolen property in the third degree is a gross misdemeanor.

**NEW SECTION. Sec. 9A.56.180. OBSCURING IDENTITY OF A MACHINE.** (1) A person is guilty of obscuring identity of a machine if he knowingly:

(a) Obscures the manufacturer's serial number or any other distinguishing identification number or mark upon any vehicle, machine, engine, apparatus, appliance, or other device with intent to render it unidentifiable; or

(b) Possesses a vehicle, machine, engine, apparatus, appliance, or other device held for sale knowing that the serial number or other identification number or mark has been obscured.

(2) "Obscure" means to remove, deface, cover, alter, destroy, or otherwise render unidentifiable.

(3) Obscuring identity of a machine is a gross misdemeanor.

**NEW SECTION. Sec. 9A.56.190. ROBBERY—DEFINITION.** A person commits robbery when he unlawfully takes personal property from the person of another or in his presence against his will by the use or threatened use of immediate force, violence, or fear of injury to that person or his property or the person or property of anyone. Such force or fear must be used to obtain or retain possession of the property, or to prevent or overcome resistance to the taking; in either of which cases the degree of force is immaterial. Such taking constitutes robbery whenever it appears that, although the taking was fully completed without the knowledge of the person from whom taken, such knowledge was prevented by the use of force or fear.

**NEW SECTION. Sec. 9A.56.200. ROBBERY IN THE FIRST DEGREE.** (1) A person is guilty of robbery in the first degree if in the commission of a robbery or of immediate flight therefrom, he:

(a) Is armed with a deadly weapon; or

(b) Displays what appears to be a firearm or other deadly weapon; or

(c) Inflicts bodily injury.

(2) Robbery in the first degree is a Class A felony.

**NEW SECTION. Sec. 9A.56.210. ROBBERY IN THE SECOND DEGREE.** (1) A person is guilty of robbery in the second degree if he commits robbery.

(2) Robbery in the second degree is a Class B felony.

CHAPTER 9A.60

FRAUD

**NEW SECTION. Sec. 9A.60.010. DEFINITIONS.** The following definitions and the definitions of section 9A.56.010 are applicable in this chapter unless the context otherwise requires:

(1) "Written instrument" means: (a) any paper, document, or other instrument containing written or printed matter or its equivalent; or (b) any credit card, as defined in section 9A.56.010(3), token, stamp, seal, badge, trademark, or other evidence or symbol of value, right, privilege, or identification;

(2) "Complete written instrument" means one which is fully drawn with respect to every essential feature thereof;

(3) "Incomplete written statement" means one which contains some matter by way of content or authentication but which requires additional matter in order to render it a complete written instrument;

(4) To "falsely make" a written instrument means to make or draw a complete or incomplete written instrument which purports to be authentic, but which is not authentic either because the ostensible maker is fictitious or because, if real, he did not authorize the making or drawing thereof;

(5) To "falsely complete" a written instrument means to transform an incomplete written instrument into a complete one by adding or inserting matter, without the authority of anyone entitled to grant it;

(6) To "falsely alter" a written instrument means to change, without authorization by anyone entitled to grant it, a written instrument, whether complete or incomplete, by means of erasure, obliteration, deletion, insertion of new matter, transposition of matter, or in any other manner;

(7) "Forged instrument" means a written instrument which has been falsely made, completed or altered.

**NEW SECTION. Sec. 9A.60.020. FORGERY.** (1) A person is guilty of forgery if, with intent to injure or defraud:

(a) He falsely makes, completes, or alters a written instrument or;

(b) Possesses, utters, offers, disposes of, or puts off as true a written instrument which he knows to be forged.

(2) Forgery is a Class C felony.

**NEW SECTION. Sec. 9A.60.030. OBTAINING A SIGNATURE BY DECEPTION OR DURESS.**

(1) A person is guilty of obtaining a signature by deception or duress if by deception or duress and with intent to defraud or deprive he causes another person to sign or execute a written instrument.

(2) Obtaining a signature by deception is a Class C felony.

**NEW SECTION. Sec. 9A.60.040. CRIMINAL IMPERSONATION.** (1) A person is guilty of criminal impersonation if he:

(a) Assumes a false identity and does an act in his assumed character with intent to defraud another or for any other unlawful purpose; or

(b) Pretends to be a representative of some person or organization or a public servant and does an act in his pretended capacity with intent to defraud another or for any other unlawful purpose.

(2) Criminal impersonation is a gross misdemeanor.

**NEW SECTION. Sec. 9A.60.050. FALSE CERTIFICATION.** (1) Any person is guilty of false certification, if, being an officer authorized to take a proof or acknowledgment of an instrument which by law may be recorded, he knowingly certifies falsely that the execution of such instrument was acknowledged by any party thereto or that the execution thereof was proved.

(2) False certification is a gross misdemeanor.

#### CHAPTER 9A.64

##### FAMILY OFFENSES

**NEW SECTION. Sec. 9A.64.010. BIGAMY.** (1) A person is guilty of bigamy if he intentionally marries or purports to marry another person when either person has a living spouse.

(2) In any prosecution under this section, it is a defense that at the time of the subsequent marriage or purported marriage:

(a) The actor reasonably believed that the prior spouse was dead; or

(b) A court had entered a judgment purporting to terminate or annul any prior disqualifying marriage and the actor did not know that such judgment was invalid; or

(c) The actor reasonably believed that he was legally eligible to marry.

(3) Bigamy is a Class C felony.

**NEW SECTION. Sec. 9A.64.020. INCEST.** (1) A person is guilty of incest if he engages in sexual intercourse with a person whom he knows to be related to him, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either the whole or the half blood.

(2) As used in this section, "descendant" includes stepchildren and adopted children under eighteen years of age.

(3) Incest is a Class C felony.

#### CHAPTER 9A.68

##### BRIBERY AND CORRUPT INFLUENCE

**NEW SECTION. Sec. 9A.68.010. BRIBERY.** (1) A person is guilty of bribery if:

(a) With the intent to secure a particular result in a particular matter involving the exercise of the public servant's vote, opinion, judgment, exercise of discretion, or other action in his official capacity, he offers, confers, or agrees to confer any pecuniary benefit upon such public servant; or

(b) Being a public servant, he requests, accepts, or agrees to accept any pecuniary benefit pursuant to an agreement or understanding that his vote, opinion, judgment, exercise of discretion, or other action as a public servant will be used to secure or attempt to secure a particular result in a particular matter.

(2) It is no defense to a prosecution under this section that the public servant sought to be influenced was not qualified to act in the desired way, whether because he had not yet assumed office, lacked jurisdiction, or for any other reason.

(3) Bribery is a Class B felony.

**NEW SECTION. Sec. 9A.68.020. REQUESTING UNLAWFUL COMPENSATION.** (1) A public servant is guilty of requesting unlawful compensation if he requests a pecuniary benefit for the performance of an official action knowing that he is required to perform that action without compensation or at a level of compensation lower than that requested.

(2) Requesting unlawful compensation is a Class C felony.



NEW SECTION. Sec. 9A.68.030. RECEIVING OR GRANTING UNLAWFUL COMPENSATION.

- (1) A person is guilty of receiving or granting unlawful compensation if:
- (a) Being a public servant, he requests, accepts, or agrees to accept compensation for advice or other assistance in preparing a bill, contract, claim, or transaction regarding which he knows he is likely to have an official discretion to exercise; or
  - (b) He knowingly offers, pays, or agrees to pay compensation to a public servant for advice or other assistance in preparing or promoting a bill, contract, claim, or other transaction regarding which the public servant is likely to have an official discretion to exercise.

(2) Receiving or granting unlawful compensation is a Class C felony.

NEW SECTION. Sec. 9A.68.040. TRADING IN PUBLIC OFFICE. (1) A person is guilty of trading in public office if:

(a) He offers, confers, or agrees to confer any pecuniary benefit upon a public servant pursuant to an agreement or understanding that such actor will or may be appointed to a public office; or

(b) Being a public servant, he requests, accepts, or agrees to accept any pecuniary benefit from another person pursuant to an agreement or understanding that such person will or may be appointed to a public office.

(2) Trading in public office is a Class C felony.

NEW SECTION. Sec. 9A.68.050. TRADING IN SPECIAL INFLUENCE. (1) A person is guilty of trading in special influence if:

(a) He offers, confers, or agrees to confer any pecuniary benefit upon another person pursuant to an agreement or understanding that such other person will offer or confer a benefit upon a public servant or procure another to do so with intent thereby to secure or attempt to secure a particular result in a particular matter; or

(b) He requests, accepts, or agrees to accept any pecuniary benefit pursuant to an agreement or understanding that he will offer or confer a benefit upon a public servant or procure another to do so with intent thereby to secure or attempt to secure a particular result in a particular matter.

(2) Trading in special influence is a Class C felony.

CHAPTER 9A.72

PERJURY

NEW SECTION. Sec. 9A.72.010. DEFINITIONS. The following definitions are applicable in this chapter unless the context otherwise requires:

(1) "Materially false statement" means any false statement oral or written, regardless of its admissibility under the rules of evidence, which could have affected the course or outcome of the proceeding; whether a false statement is material shall be determined by the court as a matter of law;

(2) "Oath" includes an affirmation and every other mode authorized by law of attesting to the truth of that which is stated; in this chapter, written statements shall be treated as if made under oath if:

(a) The statement was made on or pursuant to instructions on an official form bearing notice, authorized by law, to the effect that false statements made therein are punishable; or

(b) The statement recites that it was made under oath, the declarant was aware of such recitation at the time he made the statement, intended that the statement should be represented as a sworn statement, and the statement was in fact so represented by its delivery or utterance with the signed jurat of an officer authorized to administer oaths appended thereto;

(3) An oath is "required or authorized by law" when the use of the oath is specifically provided for by statute or regulatory provision;

(4) "Official proceeding" means a proceeding heard before any legislative, judicial, administrative, or other government agency or official authorized to hear evidence under oath, including any referee, hearing examiner, commissioner, notary, or other person taking testimony or depositions;

(5) "Juror" means any person who is a member of any jury, including a grand jury, impaneled by any court of this state or by any public servant authorized by law to impanel a jury; the term juror also includes any person who has been drawn or summoned to attend as a prospective juror;

(6) "Testimony" includes oral or written statements, documents, or any other material that may be offered by a witness in an official proceeding.

NEW SECTION. Sec. 9A.72.020. PERJURY IN THE FIRST DEGREE. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law.

(2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his statement was not material is not a defense to a prosecution under this section.

(3) Perjury in the first degree is a Class B felony.

NEW SECTION. Sec. 9A.72.030. PERJURY IN THE SECOND DEGREE. (1) A person is guilty of perjury in the second degree if, with intent to mislead a public servant in the performance of his duty, he makes a materially false statement, which he knows to be false under an oath required or authorized by law.

(2) Perjury in the second degree is a Class C felony.

NEW SECTION. Sec. 9A.72.040. FALSE SWEARING. (1) A person is guilty of false swearing if he makes a false statement, which he knows to be false, under an oath required or authorized by law.

(2) False swearing is a gross misdemeanor.

NEW SECTION. Sec. 9A.72.050. PERJURY AND FALSE SWEARING: INCONSISTENT STATEMENTS. (1) Where, in the course of one or more official proceedings, a person makes inconsistent

material statements under oath, the prosecution may proceed by setting forth the inconsistent statements in a single count alleging in the alternative that one or the other was false and known by the defendant to be false. In such case it shall not be necessary for the prosecution to prove which material statement was false but only that one or the other was false and known by the defendant to be false.

(2) The highest offense of which a person may be convicted in such an instance as set forth in subsection (1) of this section shall be determined by hypothetically assuming each statement to be false. If perjury of different degrees would be established by the making of the two statements, the person may only be convicted of the lesser degree. If perjury or false swearing would be established by the making of the two statements, the person may only be convicted of false swearing. For purposes of this section, no corroboration shall be required of either inconsistent statement.

**NEW SECTION. Sec. 9A.72.060. PERJURY AND FALSE SWEARING: RETRACTION.** No person shall be convicted of perjury or false swearing if he retracts his false statement in the course of the same proceeding in which it was made, if in fact he does so before it becomes manifest that the falsification is or will be exposed and before the falsification substantially affects the proceeding. Statements made in separate hearings at separate stages of the same trial, administrative, or other official proceeding shall be treated as if made in the course of the same proceeding.

**NEW SECTION. Sec. 9A.72.070. PERJURY AND FALSE SWEARING: IRREGULARITIES NO DEFENSE.** It is no defense to a prosecution for perjury or false swearing:

(1) That the oath was administered or taken in an irregular manner; or

(2) That the person administering the oath lacked authority to do so, if the taking of the oath was required or authorized by law.

**NEW SECTION. Sec. 9A.72.080. STATEMENT OF WHAT ONE DOES NOT KNOW TO BE TRUE.** Every unqualified statement of that which one does not know to be true is equivalent to a statement of that which he knows to be false.

**NEW SECTION. Sec. 9A.72.090. BRIBING A WITNESS.** (1) A person is guilty of bribing a witness if he offers, confers, or agrees to confer any benefit upon a witness or a person he has reason to believe is about to be called as a witness in any official proceeding with intent to:

(a) Influence the testimony of that person; or

(b) Induce that person to avoid legal process summoning him to testify; or

(c) Induce that person to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribing a witness is a Class B felony.

**NEW SECTION. Sec. 9A.72.100. BRIBE RECEIVING BY A WITNESS.** (1) A witness or a person who has reason to believe he is about to be called as a witness in any official proceeding is guilty of bribe receiving by a witness if he requests, accepts, or agrees to accept any benefit pursuant to an agreement or understanding that:

(a) His testimony will thereby be influenced; or

(b) He will attempt to avoid legal process summoning him to testify; or

(c) He will attempt to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribe receiving by a witness is a Class B felony.

**NEW SECTION. Sec. 9A.72.110. INTIMIDATING A WITNESS.** (1) A person is guilty of intimidating a witness if, by use of a threat directed to a witness or a person he has reason to believe is about to be called as a witness in any official proceeding, he attempts to:

(a) Influence the testimony of that person; or

(b) Induce that person to elude legal process summoning him to testify; or

(c) Induce that person to absent himself from such proceedings.

(2) "Threat" as used in this section means

(a) to communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) threats as defined in section 9A.04.110(25).

(3) Intimidating a witness is a Class B felony.

**NEW SECTION. Sec. 9A.72.120. TAMPERING WITH A WITNESS.** (1) A person is guilty of tampering with a witness if he attempts to induce a witness or person he has reason to believe is about to be called as a witness in any official proceeding to:

(a) Testify falsely or, without right or privilege to do so, to withhold any testimony; or

(b) Absent himself from such proceedings.

(2) Tampering with a witness is a Class C felony.

**NEW SECTION. Sec. 9A.72.130. INTIMIDATING A JUROR.** (1) A person is guilty of intimidating a juror if, by use of a threat, he attempts to influence a juror's vote, opinion, decision, or other official action as a juror.

(2) "Threat" as used in this section means

(a) to communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) threats as defined in section 9A.04.110(25).

(3) Intimidating a juror is a Class B felony.

**NEW SECTION. Sec. 9A.72.140. JURY TAMPERING.** (1) A person is guilty of jury tampering if with intent to influence a juror's vote, opinion, decision, or other official action in a case, he attempts to communicate directly or indirectly with a juror other than as part of the proceedings in the trial of the case.

(2) Jury tampering is a gross misdemeanor.

**NEW SECTION. Sec. 9A.72.150. TAMPERING WITH PHYSICAL EVIDENCE.** (1) A person is guilty of tampering with physical evidence if, having reason to believe that an official proceeding is pending or about to be instituted and acting without legal right or authority, he:

(a) Destroys, mutilates, conceals, removes, or alters physical evidence with intent to impair its appearance, character, or availability in such pending or prospective official proceeding; or

(b) Knowingly presents or offers any false physical evidence.

(2) "Physical evidence" as used in this section includes any article, object, document, record, or other thing of physical substance.

(3) Tampering with physical evidence is a gross misdemeanor.

CHAPTER 9A.76

OBSTRUCTING GOVERNMENTAL OPERATION

**NEW SECTION. Sec. 9A.76.010. DEFINITIONS.** The following definitions are applicable in this chapter unless the context otherwise requires:

(1) "Custody" means restraint pursuant to a lawful arrest or an order of a court;

(2) "Detention facility" means any place used for the confinement, of a person (a) arrested for, charged with or convicted of an offense, or (b) charged with being or adjudicated to be a dependent or delinquent child as defined in RCW 13.04.010 as now or hereafter amended, or (c) held for extradition or as a material witness, or (d) otherwise confined pursuant to an order of a court, or (e) in any work release, furlough, or other such facility or program;

(3) "Contraband" means any article or thing which a person confined in a detention facility is prohibited from obtaining or possessing by statute, rule, regulation, or order of a court.

**NEW SECTION. Sec. 9A.76.020. OBSTRUCTING A PUBLIC SERVANT.** Every person who, (1) without lawful excuse shall refuse or knowingly fail to make or furnish any statement, report, or information lawfully required of him by a public servant, or (2) in any such statement or report shall make any knowingly untrue statement to a public servant, or (3) shall knowingly hinder, delay, or obstruct any public servant in the discharge of his official powers or duties; shall be guilty of a misdemeanor.

**NEW SECTION. Sec. 9A.76.030. REFUSING TO SUMMON AID FOR A PEACE OFFICER.** (1) A person is guilty of refusing to summon aid for a peace officer if, upon request by a person he knows to be a peace officer, he unreasonably refuses or fails to summon aid for such peace officer.

(2) Refusing to summon aid for a peace officer is a misdemeanor.

**NEW SECTION. Sec. 9A.76.040. RESISTING ARREST.** (1) A person is guilty of resisting arrest if he intentionally prevents or attempts to prevent a peace officer from lawfully arresting him.

(2) Resisting arrest is a misdemeanor.

**NEW SECTION. Sec. 9A.76.050. RENDERING CRIMINAL ASSISTANCE: DEFINITION OF TERM.** As used in sections 9A.76.070, 9A.76.080, and 9A.76.090, a person "renders criminal assistance" if, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he knows has committed a crime or is being sought by law enforcement officials for the commission of a crime or has escaped from a detention facility, he:

(1) Harbors or conceals such person; or

(2) Warns such person of impending discovery or apprehension; or

(3) Provides such person with money, transportation, disguise, or other means of avoiding discovery or apprehension; or

(4) Prevents or obstructs, by use of force, deception, or threat, anyone from performing an act that might aid in the discovery or apprehension of such person; or

(5) Conceals, alters, or destroys any physical evidence that might aid in the discovery or apprehension of such person; or

(6) Provides such person with a weapon.

**NEW SECTION. Sec. 9A.76.060. RELATIVE DEFINED.** As used in sections 9A.76.070 and 9A.76.080, "relative" means a person:

(1) Who is related as husband or wife, brother or sister, parent or grandparent, child or grandchild, step-child or step-parent to the person to whom criminal assistance is rendered; and

(2) Who does not render criminal assistance to another person in one or more of the means defined in subsections (4), (5), or (6) of section 9A.76.050.

**NEW SECTION. Sec. 9A.76.070. RENDERING CRIMINAL ASSISTANCE IN THE FIRST DEGREE.** (1) A person is guilty of rendering criminal assistance in the first degree if he renders criminal assistance to a person who has committed or is being sought for murder in the first degree or any Class A felony.

(2) Rendering criminal assistance in the first degree is:

(a) A gross misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in section 9A.76.060;

(b) A Class C felony in all other cases.

**NEW SECTION. Sec. 9A.76.080. RENDERING CRIMINAL ASSISTANCE IN THE SECOND DEGREE.** (1) A person is guilty of rendering criminal assistance in the second degree if he renders criminal assistance to a person who has committed or is being sought for a Class B or Class C felony.

(2) Rendering criminal assistance in the second degree is:

- (a) A misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in section 9A.76.060;
- (b) A gross misdemeanor in all other cases.

**NEW SECTION. Sec. 9A.76.090. RENDERING CRIMINAL ASSISTANCE IN THE THIRD DEGREE.** (1) A person is guilty of rendering criminal assistance in the third degree if he renders criminal assistance to a person who has committed a gross misdemeanor or misdemeanor.

(2) Rendering criminal assistance in the third degree is a misdemeanor.

**NEW SECTION. Sec. 9A.76.100. COMPOUNDING.** (1) A person is guilty of compounding if:

(a) He requests, accepts, or agrees to accept any pecuniary benefit pursuant to an agreement or understanding that he will refrain from initiating a prosecution for a crime; or

(b) He confers, or offers or agrees to confer, any pecuniary benefit upon another pursuant to an agreement or understanding that such other person will refrain from initiating a prosecution for a crime.

(2) In any prosecution under this section, it is a defense if established by a preponderance of the evidence that the pecuniary benefit did not exceed an amount which the defendant reasonably believed to be due as restitution or indemnification for harm caused by the crime.

(3) Compounding is a gross misdemeanor.

**NEW SECTION. Sec. 9A.76.110. ESCAPE IN THE FIRST DEGREE.** (1) A person is guilty of escape in the first degree if, being detained pursuant to a conviction of a felony, he escapes from custody or a detention facility.

(2) Escape in the first degree is a Class B felony.

**NEW SECTION. Sec. 9A.76.120. ESCAPE IN THE SECOND DEGREE.** (1) A person is guilty of escape in the second degree if:

(a) He escapes from a detention facility; or

(b) Having been charged with a felony, he escapes from custody.

(2) Escape in the second degree is a Class C felony.

**NEW SECTION. Sec. 9A.76.130. ESCAPE IN THE THIRD DEGREE.** (1) A person is guilty of escape in the third degree if he escapes from custody.

(2) Escape in the third degree is a gross misdemeanor.

**NEW SECTION. Sec. 9A.76.140. INTRODUCING CONTRABAND IN THE FIRST DEGREE.** (1)

A person is guilty of introducing contraband in the first degree if he knowingly provides any deadly weapon to any person confined in a detention facility.

(2) Introducing contraband in the first degree is a Class B felony.

**NEW SECTION. Sec. 9A.76.150. INTRODUCING CONTRABAND IN THE SECOND DEGREE.**

(1) A person is guilty of introducing contraband in the second degree if he knowingly and unlawfully provides contraband to any person confined in a detention facility with the intent that such contraband be of assistance in an escape or in the commission of a crime.

(2) Introducing contraband in the second degree is a Class C felony.

**NEW SECTION. Sec. 9A.76.160. INTRODUCING CONTRABAND IN THE THIRD DEGREE.**

(1) A person is guilty of introducing contraband in the third degree if he knowingly and unlawfully provides contraband to any person confined in a detention facility.

(2) Introducing contraband in the third degree is a misdemeanor.

**NEW SECTION. Sec. 9A.76.170. BAIL JUMPING.** (1) Any person having been released by court

order or admitted to bail with the requirement of a subsequent personal appearance before any court of this state, and who knowingly fails without lawful excuse to appear as required is guilty of bail jumping. Unless otherwise established, the failure to appear when required shall be inferred to have been without lawful excuse.

(2) Bail jumping is:

(a) A Class A felony if the person was held for, charged with, or convicted of murder in the first degree;

(b) A Class B felony if the person was held for, charged with, or convicted of a Class A felony;

(c) A Class C felony if the person was held for, charged with, or convicted of a Class B felony;

(d) A gross misdemeanor if the person was held for, charged with, or convicted of a Class C felony;

(e) A misdemeanor if the person was held for, charged with, or convicted of a gross misdemeanor or misdemeanor.

**NEW SECTION. Sec. 9A.76.180. INTIMIDATING A PUBLIC SERVANT.** (1) A person is guilty of intimidating a public servant if, by use of a threat, he attempts to influence a public servant's vote, opinion, decision, or other official action as a public servant.

(2) For purposes of this section "public servant" shall not include jurors.

(3) "Threat" as used in this section means

(a) to communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) threats as defined in section 9A.04.110(25).

(4) Intimidating a public servant is a Class B felony.

CHAPTER 9A.80  
ABUSE OF OFFICE

**NEW SECTION. Sec. 9A.80.010. OFFICIAL MISCONDUCT.** (1) A public servant is guilty of official misconduct if, with intent to obtain a benefit or to deprive another person of a lawful right or privilege:

- (a) He intentionally commits an authorized act under color of law; or
  - (b) He intentionally refrains from performing a duty imposed upon him by law.
- (2) Official misconduct is a gross misdemeanor.

CHAPTER 9A.84  
PUBLIC DISTURBANCE

**NEW SECTION. Sec. 9A.84.010. RIOT.** (1) A person is guilty of the crime of riot if, acting with three or more other persons, he knowingly and unlawfully uses or threatens to use force, or in any way participates in the use of such force, against any other person or against property.

- (2) The crime of riot is:
  - (a) A Class C felony, if the actor is armed with a deadly weapon;
  - (b) A gross misdemeanor in all other cases.

**NEW SECTION. Sec. 9A.84.020. FAILURE TO DISPERSE.** (1) A person is guilty of failure to disperse if:

(a) He congregates with a group of three or more other persons and there are acts of conduct within that group which create a substantial risk of causing injury to any person, or substantial harm to property; and

(b) He refuses or fails to disperse when ordered to do so by a peace officer or other public servant engaged in enforcing or executing the law.

- (2) Failure to disperse is a misdemeanor.

**NEW SECTION. Sec. 9A.84.030. DISORDERLY CONDUCT.** (1) A person is guilty of disorderly conduct if he:

- (a) Uses abusive language and thereby intentionally creates a risk of assault; or
  - (b) Intentionally disrupts any lawful assembly or meeting of persons without lawful authority; or
  - (c) Intentionally obstructs vehicular or pedestrian traffic without lawful authority.
- (2) Disorderly conduct is a misdemeanor.

**NEW SECTION. Sec. 9A.84.040. FALSE REPORTING.** (1) A person is guilty of false reporting if with knowledge that the information reported, conveyed or circulated is false, he initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a fire, explosion, crime, catastrophe, or emergency knowing that such false report is likely to cause evacuation of a building, place of assembly, or transportation facility, or to cause public inconvenience or alarm.

- (2) False reporting is a gross misdemeanor.

CHAPTER 9A.88  
PUBLIC INDECENCY

**NEW SECTION. Sec. 9A.88.010. PUBLIC INDECENCY.** (1) A person is guilty of public indecency if he makes any open and obscene exposure of his person or the person of another knowing that such conduct is likely to cause reasonable affront or alarm.

(2) Public indecency is a misdemeanor unless such person exposes himself to a person under the age of fourteen years in which case indecency is a gross misdemeanor.

**NEW SECTION. Sec. 9A.88.020. COMMUNICATION WITH A MINOR FOR IMMORAL PURPOSES.** Any person who communicates with a child under the age of seventeen years of age for immoral purposes shall be guilty of a gross misdemeanor, unless such person has previously been convicted of a felony sexual offense or has previously been convicted under this section or RCW 9.79.130, in which case such person shall be guilty of a Class C felony.

**NEW SECTION. Sec. 9A.88.030. PROSTITUTION.** (1) A person is guilty of prostitution if such person engages or agrees or offers to engage in sexual conduct with another person in return for a fee.

- (2) Prostitution is a misdemeanor.

**NEW SECTION. Sec. 9A.88.050. PROSTITUTION: NO DEFENSE.** In any prosecution for prostitution, the sex of the two parties or prospective parties to the sexual conduct engaged in, contemplated, or solicited is immaterial, and it is no defense that:

- (1) Such persons were of the same sex; or
- (2) The person who received, agreed to receive, or solicited a fee was a male and the person who paid or agreed or offered to pay such fee was female.

**NEW SECTION. Sec. 9A.88.060. PROMOTING PROSTITUTION—DEFINITIONS.** The following definitions are applicable in sections 9A.88.070 through 9A.88.090:

(1) "Advances prostitution." A person "advances prostitution" if, acting other than as a prostitute or as a customer thereof, he causes or aids a person to commit or engage in prostitution, procures or solicits customers for prostitution, provides persons or premises for prostitution purposes, operates or assists in the operation of a house of prostitution or a prostitution enterprise, or engages in any other conduct designed to institute, aid, or facilitate an act or enterprise of prostitution.

(2) "Profits from prostitution." A person "profits from prostitution" if, acting other than as a prostitute receiving compensation for personally rendered prostitution services, he accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of prostitution activity.

**NEW SECTION. Sec. 9A.88.070. PROMOTING PROSTITUTION IN THE FIRST DEGREE.** (1) A person is guilty of promoting prostitution in the first degree if he knowingly:

- (a) Advances prostitution by compelling a person by threat or force to engage in prostitution or profits from prostitution which results from such threat or force; or
  - (b) Advances or profits from prostitution of a person less than eighteen years old.
- (2) Promoting prostitution in the first degree is a Class B felony.

**NEW SECTION. Sec. 9A.88.080. PROMOTING PROSTITUTION IN THE SECOND DEGREE.**

- (1) A person is guilty of promoting prostitution in the second degree if he knowingly:
- (a) Profits from prostitution; or
  - (b) Advances prostitution.
- (2) Promoting prostitution in the second degree is a Class C felony.

**NEW SECTION. Sec. 9A.88.090. PERMITTING PROSTITUTION.** (1) A person is guilty of permitting prostitution if, having possession or control of premises which he knows are being used for prostitution purposes, he fails without lawful excuse to make reasonable effort to halt or abate such use.

- (2) Permitting prostitution is a misdemeanor.

**NEW SECTION. Sec. 9A.88.100. INDECENT LIBERTIES.** (1) A person is guilty of indecent liberties when he knowingly causes another person who is not his spouse to have sexual contact with him or another:

- (a) By forcible compulsion; or
  - (b) When the other person is less than fourteen years of age; or
  - (c) When the other person is incapable of consent by reason of being mentally defective, mentally incapacitated, or physically helpless.
- (2) For purposes of this section, "sexual contact" means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party.
- (3) Indecent liberties is a Class B felony.

#### CHAPTER 9A.92 LAWS REPEALED

**NEW SECTION. Sec. 9A.92.010. ACTS OR PARTS OF ACTS REPEALED.** The following acts or parts of acts are each hereby repealed:

- (1) Section 51, chapter 249, Laws of 1909 and RCW 9.01.010;
- (2) Section 11, page 78, Laws of 1854, section 11, page 106, Laws of 1859, section 11, page 200, Laws of 1869, section 11, page 200, Laws of 1873, section 781, Code of 1881, section 1, chapter 249, Laws of 1909 and RCW 9.01.020;
- (3) Section 125, page 98, Laws of 1854, section 124, page 129, Laws of 1859, section 134, page 229, Laws of 1869, section 140, page 213, Laws of 1873, section 957, Code of 1881, section 8, chapter 249, Laws of 1909 and RCW 9.01.030;
- (4) Section 2, chapter 249, Laws of 1909 and RCW 9.01.040;
- (5) Section 2, chapter 249, Laws of 1909 and RCW 9.01.050;
- (6) Section 127, page 98, Laws of 1854, section 136, page 229, Laws of 1869, section 142, page 213, Laws of 1873, section 956, Code of 1881, section 10, chapter 249, Laws of 1909 and RCW 9.01.060;
- Section 30, page 185, Laws of 1873, section 1161, Code of 1881, section 12, chapter 249, Laws of 1909 and RCW 9.01.070;
- (8) Section 1, chapter 233, Laws of 1927 and RCW 9.01.080;
- (9) Section 784, Code of 1881, section 17, chapter 249, Laws of 1909 and RCW 9.01.090;
- (10) Section 18, chapter 249, Laws of 1909 and RCW 9.01.100;
- (11) Section 5, chapter 249, Laws of 1909 and RCW 9.01.111;
- (12) Section 4, chapter 249, Laws of 1909 and RCW 9.01.112;
- (13) Section 3, chapter 249, Laws of 1909 and RCW 9.01.113;
- (14) Section 6, chapter 249, Laws of 1909 and RCW 9.01.114;
- (15) Section 2, chapter 76, Laws of 1967 and RCW 9.01.116;
- (16) Section 1, Code of 1881, section 47, chapter 249, Laws of 1909 and RCW 9.01.150;
- (17) Section 46, chapter 249, Laws of 1909 and RCW 9.01.170;
- (18) Section 48, chapter 249, Laws of 1909 and RCW 9.01.180;
- (19) Section 49, chapter 249, Laws of 1909 and RCW 9.01.190;
- (20) Section 376, chapter 249, Laws of 1909 and RCW 9.08.040;
- (21) Section 40, page 82, Laws of 1854, section 44, page 189, Laws of 1873, section 823, Code of 1881, section 40, page 77, Laws of 1886, section 1, chapter 87, Laws of 1895, section 320, chapter 249, Laws of 1909, section 1, chapter 11, Laws of 1863 and RCW 9.09.010;
- (22) Section 40, page 82, Laws of 1854, section 44, page 189, Laws of 1873, section 823, Code of 1881, section 40, page 77, Laws of 1886, section 1, chapter 87, Laws of 1895, section 321, chapter 249, Laws of 1909, section 1, chapter 265, Laws of 1927, section 2, chapter 11, Laws of 1963, section 1, chapter 17, Laws of 1965 ex. sess. and RCW 9.09.020;
- (23) Section 322, chapter 249, Laws of 1909 and RCW 9.09.030;
- (24) Section 323, chapter 249, Laws of 1909 and RCW 9.09.040;
- (25) Section 324, chapter 249, Laws of 1909 and RCW 9.09.050;
- (26) Section 6, chapter 87, Laws of 1895, section 325, chapter 249, Laws of 1909 and RCW 9.09.060;

- (27) Section 24, page 79, Laws of 1854, section 28, page 80, Laws of 1854, sections 24 through 30, page 202, Laws of 1869, sections 29 through 34, page 185, Laws of 1873, sections 801 through 809, Code of 1881, section 161, chapter 249, Laws of 1909 and RCW 9.11.010;
- (28) Section 24, page 79, Laws of 1854, section 28, page 80, Laws of 1854, sections 24 through 30, page 202, Laws of 1869, sections 29 through 34, page 185, Laws of 1873, sections 801 through 809, Code of 1881, section 162, chapter 249, Laws of 1909 and RCW 9.11.020;
- (29) Section 24, page 79, Laws of 1854, section 28, page 80, Laws of 1854, sections 24 through 30, page 202, Laws of 1869, sections 29 through 34, page 185, Laws of 1873, sections 801 through 809, Code of 1881, section 163, chapter 249, Laws of 1909 and RCW 9.11.030;
- (30) Section 164, chapter 249, Laws of 1909 and RCW 9.11.040;
- (31) Section 165, chapter 249, Laws of 1909 and RCW 9.11.050;
- (32) Section 122, page 226, Laws of 1869, section 128, page 210, Laws of 1873, section 945, Code of 1881, sections 6 and 7, chapter 149, Laws of 1895, section 201, chapter 249, Laws of 1909 and RCW 9.15.010;
- (33) Section 202, chapter 249, Laws of 1909 and RCW 9.15.020;
- (34) Sections 74 and 75, page 89, Laws of 1854, section 75, page 119, Laws of 1859, section 80, page 216, Laws of 1869, section 84, page 200, Laws of 1873, section 880, Code of 1881, section 68, chapter 249, Laws of 1909 and RCW 9.18.010;
- (35) Section 74, page 89, Laws of 1854, section 74, page 119, Laws of 1859, section 79, page 216, Laws of 1869, section 83, page 200, Laws of 1873, section 879, Code of 1881, section 69, chapter 249, Laws of 1909 and RCW 9.18.020;
- (36) Section 73, page 89, Laws of 1854-55, section 73, page 118, Laws of 1859-60, section 78, page 216, Laws of 1869, section 82, page 199, Laws of 1873, section 878, Code of 1881, section 70, chapter 249, Laws of 1909 and RCW 9.18.030;
- (37) Section 71, page 89, Laws of 1854, section 71, page 118, Laws of 1859, section 77, page 216, Laws of 1869, section 81, page 199, Laws of 1873, section 877, Code of 1881, section 71, chapter 249, Laws of 1909 and RCW 9.18.040;
- (38) Section 72, chapter 249, Laws of 1909 and RCW 9.18.050;
- (39) Section 84, page 200, Laws of 1873, section 880, Code of 1881, section 73, chapter 249, Laws of 1909 and RCW 9.18.060;
- (40) Section 74, chapter 249, Laws of 1909 and RCW 9.18.070;
- (41) Section 79, page 90, Laws of 1854, section 885, Code of 1881, section 79, chapter 249, Laws of 1909 and RCW 9.18.090;
- (42) Section 75, page 89, Laws of 1854, section 880, Code of 1881, section 80, chapter 249, Laws of 1909 and RCW 9.18.100;
- (43) Section 81, chapter 249, Laws of 1909 and RCW 9.18.110;
- (44) Section 44, page 83, Laws of 1854, section 48, page 190, Laws of 1873, section 827, Code of 1881, section 1, page 14, Laws of 1888, section 326, chapter 249, Laws of 1909 and RCW 9.19.010;
- (45) Section 44, page 83, Laws of 1854, section 48, page 190, Laws of 1873, section 827, Code of 1881, section 1, page 14, Laws of 1888, section 327, chapter 249, Laws of 1909 and RCW 9.19.020;
- (46) Section 49, page 190, Laws of 1873, section 828, Code of 1881, section 328, chapter 249, Laws of 1909 and RCW 9.19.030;
- (47) Section 329, chapter 249, Laws of 1909 and RCW 9.19.040;
- (48) Section 1, chapter 90, Laws of 1893, section 330, chapter 249, Laws of 1909 and RCW 9.19.050;
- (49) Section 130, chapter 249, Laws of 1909 and RCW 9.22.010;
- (50) Section 131, chapter 249, Laws of 1909 and RCW 9.22.020;
- (51) Section 132, chapter 249, Laws of 1909 and RCW 9.22.030;
- (52) Section 1, chapter 211, Laws of 1961 and RCW 9.22.040;
- (53) Section 1, page 15, Laws of 1862, section 70, page 196, Laws of 1873, sections 856 and 857, Code of 1881, section 339, chapter 249, Laws of 1909 and RCW 9.26.010;
- (54) Section 340, chapter 249, Laws of 1909 and RCW 9.26.020;
- (55) Section 7, page 15, Laws of 1862, section 70, page 196, Laws of 1873, section 857, Code of 1881 and RCW 9.26.030;
- (56) Section 1, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.010;
- (57) Section 2, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.020;
- (58) Section 3, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.030;
- (59) Section 4, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.040;
- (60) Section 5, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.050;
- (61) Section 6, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.060;
- (62) Section 7, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.070;
- (63) Section 8, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.080;
- (64) Section 295, chapter 249, Laws of 1909 and RCW 9.27.010;
- (65) Section 282, chapter 249, Laws of 1909 and RCW 9.27.020;
- (66) Section 309, chapter 249, Laws of 1909 and RCW 9.27.030;
- (67) Section 64, page 87, Laws of 1854, sections 73 and 74, page 197, Laws of 1873, sections 859 through 861, Code of 1881, section 296, chapter 249, Laws of 1909 and RCW 9.27.040;
- (68) Section 65, page 87, Laws of 1854, sections 73 and 74, page 197, Laws of 1873, sections 859 through 861, Code of 1881, section 297, chapter 249, Laws of 1909 and RCW 9.27.050;

- (69) Section 65, page 87, Laws of 1854, sections 73 and 74, page 197, Laws of 1873, sections 859 through 861, Code of 1881, section 298, chapter 249, Laws of 1909 and RCW 9.27.060;
- (70) Sections 65 and 66, page 87, Laws of 1854, sections 73 and 74, page 197, Laws of 1873, sections 859 through 861, Code of 1881, section 299, chapter 249, Laws of 1909 and RCW 9.27.070;
- (71) Section 863, Code of 1881, section 300, chapter 249, Laws of 1909 and RCW 9.27.080;
- (72) Section 301, chapter 249, Laws of 1909 and RCW 9.27.090;
- (73) Section 302, chapter 249, Laws of 1909 and RCW 9.27.100;
- (74) Section 22, page 79, Laws of 1854, section 22, page 202, Laws of 1869, section 799, Code of 1881, section 167, chapter 249, Laws of 1909 and RCW 9.30.010;
- (75) Section 23, page 79, Laws of 1854, section 23, page 202, Laws of 1869, section 25, page 185, Laws of 1873, section 800, Code of 1881, section 168, chapter 249, Laws of 1909 and RCW 9.30.020;
- (76) Section 169, chapter 249, Laws of 1909 and RCW 9.30.030;
- (77) Section 170, chapter 249, Laws of 1909 and RCW 9.30.040;
- (78) Section 171, chapter 249, Laws of 1909 and RCW 9.30.050;
- (79) Section 1, chapter 320, Laws of 1955 and RCW 9.31.005;
- (80) Section 90, chapter 249, Laws of 1909, section 2, chapter 320, Laws of 1955 and RCW 9.31.010;
- (81) Section 76, page 89, Laws of 1854, section 85, page 200, Laws of 1873, section 881, Code of 1881, sections 1 and 2, chapter 46, Laws of 1905, section 91, chapter 249, Laws of 1909 and RCW 9.31.020;
- (82) Section 77, page 90, Laws of 1854, section 86, page 201, Laws of 1873, section 882, Code of 1881, section 92, chapter 249, Laws of 1909 and RCW 9.31.030;
- (83) Section 77, page 90, Laws of 1854, sections 86 and 87, page 201, Laws of 1873, section 882, Code of 1881, section 93, chapter 249, Laws of 1909 and RCW 9.31.040;
- (84) Section 94, chapter 249, Laws of 1909 and RCW 9.31.050;
- (85) Section 87, chapter 249, Laws of 1909 and RCW 9.31.060;
- (86) Section 88, chapter 249, Laws of 1909 and RCW 9.31.070;
- (87) Section 125, chapter 249, Laws of 1909 and RCW 9.31.080;
- (88) Section 1, chapter 182, Laws of 1951 and RCW 9.31.100;
- (89) Section 822, Code of 1881, section 358, chapter 249, Laws of 1909 and RCW 9.33.010;
- (90) Section 87, page 91, Laws of 1854, section 96, page 203, Laws of 1873, section 894, Code of 1881, section 359, chapter 249, Laws of 1909 and RCW 9.33.020;
- (91) Section 87, page 91, Laws of 1854, section 96, page 203, Laws of 1873, section 894, Code of 1881, section 360, chapter 249, Laws of 1909 and RCW 9.33.040;
- (92) Section 822, Code of 1881, section 361, chapter 249, Laws of 1909 and RCW 9.33.050;
- (93) Section 362, chapter 249, Laws of 1909 and RCW 9.33.060;
- (94) Section 108, page 95, Laws of 1854, section 119, page 208, Laws of 1873, section 923, Code of 1881 and RCW 9.33.070;
- (95) Section 363, chapter 249, Laws of 1909 and RCW 9.34.010;
- (96) Section 364, chapter 249, Laws of 1909 and RCW 9.34.020;
- (97) Section 365, chapter 249, Laws of 1909 and RCW 9.37.010;
- (98) Section 367, chapter 249, Laws of 1909 and RCW 9.37.020;
- (99) Section 421, chapter 249, Laws of 1909 and RCW 9.37.030;
- (100) Section 422, chapter 249, Laws of 1909 and RCW 9.37.040;
- (101) Section 1, chapter 46, Laws of 1911 and RCW 9.37.050;
- (102) Section 1, chapter 78, Laws of 1937 and RCW 9.37.060;
- (103) Section 370, chapter 249, Laws of 1909 and RCW 9.38.030;
- (104) Section 409, chapter 249, Laws of 1909 and RCW 9.38.050;
- (105) Section 267, chapter 249, Laws of 1909 and RCW 9.40.010;
- (106) Section 268, chapter 249, Laws of 1909 and RCW 9.40.020;
- (107) Section 269, chapter 249, Laws of 1909 and RCW 9.40.030;
- (108) Section 847, Code of 1881, section 9, page 127, Laws of 1890 and RCW 9.40.050;
- (109) Section 2, page 300, Laws of 1877, section 1225, Code of 1881, section 13, chapter 69, Laws of 1891 and RCW 9.40.060;
- (110) Section 1, page 300, Laws of 1877, section 1224, Code of 1881, section 14, chapter 69, Laws of 1891 and RCW 9.40.070;
- (111) Section 4, page 300, Laws of 1877, section 1227, Code of 1881, section 15, chapter 69, Laws of 1891 and RCW 9.40.080;
- (112) Section 338, chapter 249, Laws of 1909 and RCW 9.44.010;
- (113) Section 57, page 85, Laws of 1854, section 63, page 194, Laws of 1873, section 854, Code of 1881, section 331, chapter 249, Laws of 1909 and RCW 9.44.020;
- (114) Section 332, chapter 249, Laws of 1909 and RCW 9.44.030;
- (115) Section 57, page 85, Laws of 1854, section 63, page 194, Laws of 1873, section 854, Code of 1881, section 333, chapter 249, Laws of 1909 and RCW 9.44.040;
- (116) Section 334, chapter 249, Laws of 1909 and RCW 9.44.050;
- (117) Section 57, page 85, Laws of 1854, section 63, page 194, Laws of 1873, section 854, Code of 1881, section 335, chapter 249, Laws of 1909 and RCW 9.44.060;
- (118) Section 336, chapter 249, Laws of 1909 and RCW 9.44.070;
- (119) Section 122, chapter 249, Laws of 1909 and RCW 9.45.010;
- (120) Section 219, chapter 249, Laws of 1909 and RCW 9.45.030;



- (121) Section 375, chapter 249, Laws of 1909 and RCW 9.45.050;
- (122) Section 1, page 99, Laws of 1890 and RCW 9.45.200;
- (123) Section 138, chapter 249, Laws of 1909, section 1, chapter 49, Laws of 1970 ex. sess. and RCW 9.48.010;
- (124) Section 139, chapter 249, Laws of 1909 and RCW 9.48.020;
- (125) Section 12, page 78, Laws of 1854, section 12, page 200, Laws of 1869, section 12, page 182, Laws of 1873, section 786, Code of 1881, section 1, chapter 69, Laws of 1891, section 140, chapter 249, Laws of 1909 and RCW 9.48.030;
- (126) Section 13, page 78, Laws of 1854, sections 13 and 14, page 200, Laws of 1869, section 13, page 182, Laws of 1873, section 790, Code of 1881, section 141, chapter 249, Laws of 1909 and RCW 9.48.040;
- (127) Section 14, page 78, Laws of 1854, section 14, page 201, Laws of 1869, section 16, page 183, Laws of 1873, section 791, Code of 1881, section 142, chapter 249, Laws of 1909 and RCW 9.48.050;
- (128) Section 16, page 78, Laws of 1854, section 16, page 201, Laws of 1869, section 18, page 183, Laws of 1873, section 793, Code of 1881, section 2, chapter 69, Laws of 1891, section 143, chapter 249, Laws of 1909, section 2, chapter 49, Laws of 1970 ex. sess. and RCW 9.48.060;
- (129) Sections 37 and 38, page 81, Laws of 1854, sections 37 and 38, page 209, Laws of 1863, sections 41 and 42, page 188, Laws of 1873, section 820, Code of 1881, section 144, chapter 249, Laws of 1909 and RCW 9.48.070;
- (130) Sections 37 and 38, page 81, Laws of 1854, sections 37 and 38, page 209, Laws of 1863, sections 41 and 42, page 188, Laws of 1873, section 821, Code of 1881, section 145, chapter 249, Laws of 1909 and RCW 9.48.080;
- (131) Section 146, chapter 249, Laws of 1909 and RCW 9.48.090;
- (132) Section 147, chapter 249, Laws of 1909 and RCW 9.48.100;
- (133) Section 18, page 78, Laws of 1854, section 18, page 201, Laws of 1869, section 20, page 184, Laws of 1873, section 795, Code of 1881, section 148, chapter 249, Laws of 1909 and RCW 9.48.110;
- (134) Section 19, page 78, Laws of 1854, section 19, page 201, Laws of 1869, section 21, page 184, Laws of 1873, section 796, Code of 1881, section 149, chapter 249, Laws of 1909 and RCW 9.48.120;
- (135) Section 124, page 97, Laws of 1854, section 130, page 227, Laws of 1869, section 136, page 211, Laws of 1873, section 995, Code of 1881, section 150, chapter 249, Laws of 1909 and RCW 9.48.130;
- (136) Section 151, chapter 249, Laws of 1909 and RCW 9.48.140;
- (137) Section 152, chapter 249, Laws of 1909 and RCW 9.48.150;
- (138) Section 153, chapter 249, Laws of 1909 and RCW 9.48.160;
- (139) Section 154, chapter 249, Laws of 1909 and RCW 9.48.170;
- (140) Section 1, chapter 6, Laws of 1933 ex. sess. and RCW 9.52.010;
- (141) Section 3, chapter 6, Laws of 1933 ex. sess. and RCW 9.52.020;
- (142) Section 159, chapter 249, Laws of 1909 and RCW 9.52.030;
- (143) Section 36, page 84, Laws of 1854, section 38, page 205, Laws of 1869, section 40, page 187, Laws of 1873, section 819, Code of 1881, section 160, chapter 249, Laws of 1909 and RCW 9.52.040;
- (144) Section 45, page 83, Laws of 1854, section 50, page 190, Laws of 1873, section 830, Code of 1881, section 349, chapter 249, Laws of 1909, section 3, chapter 165, Laws of 1915 and RCW 9.54.010;
- (145) Section 1, chapter 155, Laws of 1915, section 1, chapter 64, Laws of 1919 and RCW 9.54.020;
- (146) Section 1, chapter 60, Laws of 1917, section 1, chapter 124, Laws of 1974 ex. sess. and RCW 9.54.030;
- (147) Section 2, chapter 60, Laws of 1917 and RCW 9.54.040;
- (148) Section 1, chapter 156, Laws of 1915 and RCW 9.54.050;
- (149) Section 350, chapter 249, Laws of 1909 and RCW 9.54.060;
- (150) Section 351, chapter 249, Laws of 1909 and RCW 9.54.070;
- (151) Section 352, chapter 249, Laws of 1909 and RCW 9.54.080;
- (152) Section 353, chapter 249, Laws of 1909, section 1, chapter 97, Laws of 1955 and RCW 9.54.090;
- (153) Section 354, chapter 249, Laws of 1909 and RCW 9.54.100;
- (154) Section 355, chapter 249, Laws of 1909 and RCW 9.54.110;
- (155) Section 1, chapter 63, Laws of 1961 and RCW 9.54.115;
- (156) Section 356, chapter 249, Laws of 1909 and RCW 9.54.120;
- (157) Section 1, chapter 32, Laws of 1965 and RCW 9.54.140;
- (158) Section 85, chapter 249, Laws of 1909 and RCW 9.55.010;
- (159) Section 1, chapter 111, Laws of 1899, section 1, chapter 112, Laws of 1903, section 404, chapter 249, Laws of 1909, section 2, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.010;
- (160) Section 1, chapter 64, Laws of 1893, section 1, chapter 41, Laws of 1897, section 405, chapter 249, Laws of 1909, section 3, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.020;
- (161) Section 16, chapter 69, Laws of 1891, section 406, chapter 249, Laws of 1909, section 4, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.030;
- (162) Section 1, page 30, Laws of 1862, section 1, page 300, Laws of 1877, sections 842, 843, 847, 848, 1224, Code of 1881, section 5, page 126, Laws of 1890, section 11, page 122, Laws of 1890, section 10, page 127, Laws of 1890, sections 4, 8, 11, 12, 13, 14, 16, 17, chapter 69, Laws of 1891, section 1, chapter 83, Laws of 1897, section 407, chapter 249, Laws of 1909, section 5, chapter 152, Laws of 1971 ex. sess., section 1, chapter 28, Laws of 1975 and RCW 9.61.040;
- (163) Section 408, chapter 249, Laws of 1909, section 6, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.050;

- (164) Section 414, chapter 249, Laws of 1909 and RCW 9.61.060;
- (165) Section 415, chapter 249, Laws of 1909, section 1, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.070;
- (166) Section 2, page 71, Laws of 1883, section 17, chapter 69, Laws of 1891 and RCW 9.61.080;
- (167) Section 1, chapter 114, Laws of 1899, section 7, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.090;
- (168) Section 2, chapter 114, Laws of 1899 and RCW 9.61.100;
- (169) Section 3, chapter 114, Laws of 1899 and RCW 9.61.110;
- (170) Section 1, chapter 133, Laws of 1963 and RCW 9.61.220;
- (171) Section 26, page 79, Laws of 1854, section 26, page 202, Laws of 1869, section 28, page 185, Laws of 1873, section 103, Code of 1881, section 155, chapter 249, Laws of 1909 and RCW 9.65.010;
- (172) Section 156, chapter 249, Laws of 1909 and RCW 9.65.020;
- (173) Section 157, chapter 249, Laws of 1909 and RCW 9.65.030;
- (174) Section 303, chapter 249, Laws of 1909 and RCW 9.69.010;
- (175) Section 78, page 90, Laws of 1854, section 87, page 201, Laws of 1873, section 883, Code of 1881, section 112, chapter 249, Laws of 1909 and RCW 9.69.020;
- (176) Section 79, page 90, Laws of 1854, section 88, page 201, Laws of 1873, section 886, Code of 1881, section 113, chapter 249, Laws of 1909 and RCW 9.69.030;
- (177) Section 79, page 90, Laws of 1854, section 88, page 201, Laws of 1873, section 885, Code of 1881, section 114, chapter 249, Laws of 1909 and RCW 9.69.040;
- (178) Section 116, chapter 249, Laws of 1909 and RCW 9.69.050;
- (179) Section 420, chapter 249, Laws of 1909 and RCW 9.69.060;
- (180) Section 110, chapter 249, Laws of 1909 and RCW 9.69.070;
- (181) Section 1, chapter 17, Laws of 1901, section 111, chapter 249, Laws of 1909, section 1, chapter 56, Laws of 1969 ex. sess. and RCW 9.69.080;
- (182) Section 115, chapter 249, Laws of 1909 and RCW 9.69.090;
- (183) Section 69, page 88, Laws of 1854, section 69, page 118, Laws of 1859, section 79, page 199, Laws of 1873, section 867, Code of 1881, section 99, chapter 249, Laws of 1909, section 1, chapter 46, Laws of 1957 and RCW 9.72.010;
- (184) Section 870, Code of 1881, section 100, chapter 249, Laws of 1909 and RCW 9.72.020;
- (185) Section 101, chapter 249, Laws of 1909 and RCW 9.72.030;
- (186) Section 868, Code of 1881, section 102, chapter 249, Laws of 1909 and RCW 9.72.040;
- (187) Section 869, Code of 1881, section 103, chapter 249, Laws of 1909 and RCW 9.72.050;
- (188) Section 872, Code of 1881, section 104, chapter 249, Laws of 1909, section 2, chapter 46, Laws of 1957 and RCW 9.72.060;
- (189) Section 873, Code of 1881, section 105, chapter 249, Laws of 1909 and RCW 9.72.070;
- (190) Section 106, chapter 249, Laws of 1909 and RCW 9.72.080;
- (191) Section 81, page 199, Laws of 1873, section 876, Code of 1881, section 108, chapter 249, Laws of 1909 and RCW 9.72.100;
- (192) Section 71, page 89, Laws of 1854, section 77, page 216, Laws of 1869, section 81, page 199, Laws of 1873, section 877, Code of 1881, section 109, chapter 249, Laws of 1909 and RCW 9.72.110;
- (193) Sections 3 and 4, page 81, Laws of 1854, section 36, page 204, Laws of 1869, section 38, page 187, Laws of 1873, section 829, Code of 1881, section 166, chapter 249, Laws of 1909 and RCW 9.75.010;
- (194) Section 399, chapter 249, Laws of 1909 and RCW 9.75.020;
- (195) Section 6, page 126, Laws of 1890 and RCW 9.75.030;
- (196) Section 244, chapter 249, Laws of 1909 and RCW 9.76.020;
- (197) Section 245, chapter 249, Laws of 1909 and RCW 9.76.030;
- (198) Section 246, chapter 249, Laws of 1909 and RCW 9.76.040;
- (199) Section 865, Code of 1881, section 247, chapter 249, Laws of 1909 and RCW 9.76.050;
- (200) Section 1, chapter 229, Laws of 1959, section 1, chapter 76, Laws of 1967 and RCW 9.78.010;
- (201) Section 2, chapter 229, Laws of 1959 and RCW 9.78.020;
- (202) Section 4, chapter 229, Laws of 1959 and RCW 9.78.040;
- (203) Section 813, Code of 1881, section 186, chapter 249, Laws of 1909, section 125, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.040;
- (204) Section 815, Code of 1881, section 187, chapter 249, Laws of 1909, section 126, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.050;
- (205) Section 188, chapter 249, Laws of 1909, section 1, chapter 186, Laws of 1927, section 127, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.060;
- (206) Section 816, Code of 1881, section 1, chapter 33, Laws of 1905, section 189, chapter 249, Laws of 1909, section 128, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.070;
- (207) Section 190, chapter 249, Laws of 1909, section 2, chapter 74, Laws of 1937, section 1, chapter 127, Laws of 1955, section 129, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.080;
- (208) Section 121, page 225, Laws of 1869, section 127, page 209, Laws of 1873, sections 1 and 2, chapter 149, Laws of 1895, section 203, chapter 249, Laws of 1909, section 1, chapter 111, Laws of 1943 and RCW 9.79.090;
- (209) Section 2, chapter 139, Laws of 1893, section 204, chapter 249, Laws of 1909, section 3, chapter 74, Laws of 1937 and RCW 9.79.100;

(210) Section 120, page 225, Laws of 1869, section 126, page 209, Laws of 1873, sections 943, 944, Code of 1881, sections 3, 4, chapter 149, Laws of 1895, section 205, chapter 249, Laws of 1909, section 1, chapter 98, Laws of 1917 and RCW 9.79.110;

(211) Section 117, page 95, Laws of 1854, section 120, page 225, Laws of 1869, section 126, page 209, Laws of 1873, section 948, Code of 1881, section 206, chapter 249, Laws of 1909 and RCW 9.79.120;

(212) Section 2, chapter 65, Laws of 1961 and RCW 9.79.130;

(213) Section 133, chapter 249, Laws of 1909 and RCW 9.80.010;

(214) Section 134, chapter 249, Laws of 1909 and RCW 9.80.020;

(215) Section 17, page 78, Laws of 1854, section 17, page 201, Laws of 1869, section 19, page 184, Laws of 1873, section 794, Code of 1881, section 135, chapter 249, Laws of 1909 and RCW 9.80.030;

(216) Section 136, chapter 249, Laws of 1909 and RCW 9.80.040;

(217) Section 137, chapter 249, Laws of 1909 and RCW 9.80.050;

(218) Section 412, chapter 249, Laws of 1909 and RCW 9.83.010;

(219) Section 1, chapter 128, Laws of 1913 and RCW 9.83.020;

(220) Section 2, chapter 128, Laws of 1913 and RCW 9.83.030;

(221) Section 3, chapter 128, Laws of 1913 and RCW 9.83.040;

(222) Section 4, chapter 128, Laws of 1913 and RCW 9.83.050;

(223) Section 1, page 124, Laws of 1890, section 413, chapter 249, Laws of 1909, section 1, chapter 139, Laws of 1913 and RCW 9.83.060;

(224) Section 64, page 212, Laws of 1869, section 67, page 195, Laws of 1873 and RCW 9.83.070;

(225) Section 1, chapter 7, Laws of 1969 and RCW 9.83.080;

(226) Section 1, page 85, Laws of 1875, section 1271, Code of 1881, section 436, chapter 249, Laws of 1909, section 1, chapter 11, Laws of 1965, section 29, chapter 122, Laws of 1972 ex. sess. and RCW 9.87.010;

(227) Section 1, chapter 62, Laws of 1915 and RCW 9.87.020;

(228) Section 3, page 90, Laws of 1875, section 1273, Code of 1881 and RCW 9.87.030;

(229) Section 932, Code of 1881 and RCW 9.91.040;

(230) Section 382, chapter 249, Laws of 1909 and RCW 9.91.070;

(231) Section 383, chapter 249, Laws of 1909 and RCW 9.91.080;

(232) Section 4, chapter 241, Laws of 1955 and RCW 9.94.060;

(233) Section 3, chapter 28, Laws of 1891 and RCW 10.01.010; and

(234) Section 10, page 77, Laws of 1854, section 779, Code 1881, section 2, chapter 28, Laws of 1891, section 1, chapter 12, Laws of 1937 and RCW 10.01.020.

**NEW SECTION. Sec. 9A.92.020. SAVINGS CLAUSE.** The laws repealed by section 9A.92.010 are repealed except with respect to rights and duties which matured, penalties which were incurred, and proceedings which were begun before July 1, 1976.

**NEW SECTION. Sec. 9A.92.900. LEGISLATIVE DIRECTION FOR CODIFICATION.** The provisions of this act shall constitute a new Title in the Revised Code of Washington to be designated as Title 9A RCW."

On page 1, line 3 of the title, after "9A;" strike all material through and including "9.80.050;" on page 3, line 24 of the title and insert the following: "repealing section 51, chapter 249, Laws of 1909 and RCW 9.01.010; repealing section 11, page 78, Laws of 1854, section 11, page 106, Laws of 1859, section 11, page 200, Laws of 1869, section 11, page 200, Laws of 1873, section 781, Code of 1881, section 1, chapter 249, Laws of 1909 and RCW 9.01.020; repealing section 125, page 98, Laws of 1854, section 124, page 129, Laws of 1859, section 134, page 229, Laws of 1869, section 140, page 213, Laws of 1873, section 957, Code of 1881, section 8, chapter 249, Laws of 1909 and RCW 9.01.030; repealing section 2, chapter 249, Laws of 1909 and RCW 9.01.040; repealing section 2, chapter 249, Laws of 1909 and RCW 9.01.050; repealing section 127, page 98, Laws of 1854, section 136, page 229, Laws of 1869, section 142, page 213, Laws of 1873, section 956, Code of 1881, section 10, chapter 249, Laws of 1909 and RCW 9.01.060; repealing section 30, page 185, Laws of 1873, section 1161, Code of 1881, section 12, chapter 249, Laws of 1909 and RCW 9.01.070; repealing section 1, chapter 233, Laws of 1927 and RCW 9.01.080; repealing section 784, Code of 1881, section 17, chapter 249, Laws of 1909 and RCW 9.01.090; repealing section 18, chapter 249, Laws of 1909 and RCW 9.01.100; repealing section 5, chapter 249, Laws of 1909 and RCW 9.01.111; repealing section 4, chapter 249, Laws of 1909 and RCW 9.01.112; repealing section 3, chapter 249, Laws of 1909 and RCW 9.01.113; repealing section 6, chapter 249, Laws of 1909 and RCW 9.01.114; repealing section 2, chapter 76, Laws of 1967 and RCW 9.01.116; repealing section 1, Code of 1881, section 47, chapter 249, Laws of 1909 and RCW 9.01.150; repealing section 46, chapter 249, Laws of 1909 and RCW 9.01.170; repealing section 48, chapter 249, Laws of 1909 and RCW 9.01.180; repealing section 49, chapter 249, Laws of 1909 and RCW 9.01.190; repealing section 376, chapter 249, Laws of 1909 and RCW 9.08.040; repealing section 40, page 82, Laws of 1854, section 44, page 189, Laws of 1873, section 823, Code of 1881, section 40, page 77, Laws of 1886, section 1, chapter 87, Laws of 1895, section 320, chapter 249, Laws of 1909, section 1, chapter 11, Laws of 1863 and RCW 9.09.010; repealing section 40, page 82, Laws of 1854, section 44, page 189, Laws of 1873, section 823, Code of 1881, section 40, page 77, Laws of 1886, section 1, chapter 87, Laws of 1895, section 321, chapter 249, Laws of 1909, section 1, chapter 265, Laws of 1927, section 2, chapter 11, Laws of 1963, section 1, chapter 17, Laws of 1965 ex. sess. and RCW 9.09.020; repealing section 322, chapter 249, Laws of 1909 and RCW 9.09.030; repealing section 323, chapter 249, Laws of 1909 and RCW 9.09.040; repealing section 324, chapter 249, Laws of 1909 and RCW 9.09.050; repealing section 6, chapter 87, Laws of 1895, section 325, chapter 249, Laws of 1909 and RCW 9.09.060;

repealing section 24, page 79, Laws of 1854, section 28, page 80, Laws of 1854, sections 24 through 30, page 202, Laws of 1869, sections 29 through 34, page 185, Laws of 1873, sections 801 through 809, Code of 1881, section 161, chapter 249, Laws of 1909 and RCW 9.11.010; repealing section 24, page 79, Laws of 1854, section 28, page 80, Laws of 1854, sections 24 through 30, page 202, Laws of 1869, sections 29 through 34, page 185, Laws of 1873, sections 801 through 809, Code of 1881, section 162, chapter 249, Laws of 1909 and RCW 9.11.020; repealing section 24, page 79, Laws of 1854, section 28, page 80, Laws of 1854, sections 24 through 30, page 202, Laws of 1869, sections 29 through 34, page 185, Laws of 1873, sections 801 through 809, Code of 1881, section 163, chapter 249, Laws of 1909 and RCW 9.11.030; repealing section 164, chapter 249, Laws of 1909 and RCW 9.11.040; repealing section 165, chapter 249, Laws of 1909 and RCW 9.11.050; repealing section 122, page 226, Laws of 1869, section 128, page 210, Laws of 1873, section 945, Code of 1881, sections 6 and 7, chapter 149, Laws of 1895, section 201, chapter 249, Laws of 1909 and RCW 9.15.010; repealing section 202, chapter 249, Laws of 1909 and RCW 9.15.020; repealing sections 74 and 75, page 89, Laws of 1854, section 75, page 119, Laws of 1859, section 80, page 216, Laws of 1869, section 84, page 200, Laws of 1873, section 880, Code of 1881, section 68, chapter 249, Laws of 1909 and RCW 9.18.010; repealing section 74, page 89, Laws of 1854, section 74, page 119, Laws of 1859, section 79, page 216, Laws of 1869, section 83, page 200, Laws of 1873, section 879, Code of 1881, section 69, chapter 249, Laws of 1909 and RCW 9.18.020; repealing section 73, page 89, Laws of 1854-55, section 73, page 118, Laws of 1859-60, section 78, page 216, Laws of 1869, section 82, page 199, Laws of 1873, section 878, Code of 1881, section 70, chapter 249, Laws of 1909 and RCW 9.18.030; repealing section 71, page 89, Laws of 1854, section 71, page 118, Laws of 1859, section 77, page 216, Laws of 1869, section 81, page 199, Laws of 1873, section 877, Code of 1881, section 71, chapter 249, Laws of 1909 and RCW 9.18.040; repealing section 72, chapter 249, Laws of 1909 and RCW 9.18.050; repealing section 84, page 200, Laws of 1873, section 880, Code of 1881, section 73, chapter 249, Laws of 1909 and RCW 9.18.060; repealing section 74, chapter 249, Laws of 1909 and RCW 9.18.070; repealing section 79, page 90, Laws of 1854, section 885, Code of 1881, section 79, chapter 249, Laws of 1909 and RCW 9.18.090; repealing section 75, page 89, Laws of 1854, section 880, Code of 1881, section 80, chapter 249, Laws of 1909 and RCW 9.18.100; repealing section 81, chapter 249, Laws of 1909 and RCW 9.18.110; repealing section 44, page 83, Laws of 1854, section 48, page 190, Laws of 1873, section 827, Code of 1881, section 1, page 14, Laws of 1888, section 326, chapter 249, Laws of 1909 and RCW 9.19.010; repealing section 49, page 190, Laws of 1873, section 828, Code of 1881, section 328, chapter 249, Laws of 1909 and RCW 9.19.030; repealing section 329, chapter 249, Laws of 1909 and RCW 9.19.040; repealing section 1, chapter 90, Laws of 1893, section 330, chapter 249, Laws of 1909 and RCW 9.19.050; repealing section 130, chapter 249, Laws of 1909 and RCW 9.22.010; repealing section 131, chapter 249, Laws of 1909 and RCW 9.22.020; repealing section 132, chapter 249, Laws of 1909 and RCW 9.22.030; repealing section 1, chapter 211, Laws of 1961 and RCW 9.22.040; repealing section 1, page 15, Laws of 1862, section 70, page 196, Laws of 1873, sections 856 and 857, Code of 1881, section 339, chapter 249, Laws of 1909 and RCW 9.26.010; repealing section 340, chapter 249, Laws of 1909 and RCW 9.26.020; repealing section 7, page 15, Laws of 1862, section 70, page 196, Laws of 1873, section 857, Code of 1881 and RCW 9.26.030; repealing section 1, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.010; repealing section 2, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.020; repealing section 3, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.030; repealing section 4, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.040; repealing section 5, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.050; repealing section 6, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.060; repealing section 7, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.070; repealing section 8, chapter 36, Laws of 1970 ex. sess. and RCW 9.26A.080; repealing section 295, chapter 249, Laws of 1909 and RCW 9.27.010; repealing section 282, chapter 249, Laws of 1909 and RCW 9.27.020; repealing section 309, chapter 249, Laws of 1909 and RCW 9.27.030; repealing section 64, page 87, Laws of 1854, sections 73 and 74, page 197, Laws of 1873, sections 859 through 861, Code of 1881, section 296, chapter 249, Laws of 1909 and RCW 9.27.040; repealing section 65, page 87, Laws of 1854, sections 73 and 74, page 197, Laws of 1873, sections 859 through 861, Code of 1881, section 297, chapter 249, Laws of 1909 and RCW 9.27.050; repealing section 65, page 87, Laws of 1854, sections 73 and 74, page 197, Laws of 1873, sections 859 through 861, Code of 1881, section 298, chapter 249, Laws of 1909 and RCW 9.27.060; repealing sections 65 and 66, page 87, Laws of 1854, sections 73 and 74, page 197, Laws of 1873, sections 859 through 861, Code of 1881, section 299, chapter 249, Laws of 1909 and RCW 9.27.070; repealing section 863, Code of 1881, section 300, chapter 249, Laws of 1909 and RCW 9.27.080; repealing section 301, chapter 249, Laws of 1909 and RCW 9.27.090; repealing section 302, chapter 249, Laws of 1909 and RCW 9.27.100; repealing section 22, page 79, Laws of 1854, section 22, page 202, Laws of 1869, section 799, Code of 1881, section 167, chapter 249, Laws of 1909 and RCW 9.30.010; repealing section 23, page 79, Laws of 1854, section 23, page 202, Laws of 1869, section 25, page 185, Laws of 1873, section 800, Code of 1881, section 168, chapter 249, Laws of 1909 and RCW 9.30.020; repealing section 169, chapter 249, Laws of 1909 and RCW 9.30.030; repealing section 170, chapter 249, Laws of 1909 and RCW 9.30.040; repealing section 171, chapter 249, Laws of 1909 and RCW 9.30.050; repealing section 1, chapter 320, Laws of 1955 and RCW 9.31.005; repealing section 90, chapter 249, Laws of 1909, section 2, chapter 320, Laws of 1955 and RCW 9.31.010; repealing section 76, page 89, Laws of 1854, section 85, page 200, Laws of 1873, section 881, Code of 1881, sections 1 and 2, chapter 46, Laws of 1905, section 91, chapter 249, Laws of 1909 and RCW 9.31.020; repealing section 77, page 90, Laws of 1854, section 86, page 201, Laws of 1873, section 882, Code of 1881, section 92, chapter 249, Laws of 1909 and RCW 9.31.030; repealing section 77, page 90, Laws of 1854, sections 86 and 87, page 201, Laws of 1873, section 882, Code of 1881, section 93, chapter 249, Laws of 1909 and RCW 9.31.040; repealing section 94, chapter 249, Laws of 1909 and RCW 9.31.050; repealing

section 87, chapter 249, Laws of 1909 and RCW 9.31.060; repealing section 88, chapter 249, Laws of 1909 and RCW 9.31.070; repealing section 125, chapter 249, Laws of 1909 and RCW 9.31.080; repealing section 1, chapter 182, Laws of 1951 and RCW 9.31.100; repealing section 822, Code of 1881, section 358, chapter 249, Laws of 1909 and RCW 9.33.010; repealing section 87, page 91, Laws of 1854, section 96, page 203, Laws of 1873, section 894, Code of 1881, section 359, chapter 249, Laws of 1909 and RCW 9.33.020; repealing section 87, page 91, Laws of 1854, section 96, page 203, Laws of 1873, section 894, Code of 1881, section 360, chapter 249, Laws of 1909 and RCW 9.33.040; repealing section 822, Code of 1881, section 361, chapter 249, Laws of 1909 and RCW 9.33.050; repealing section 362, chapter 249, Laws of 1909 and RCW 9.33.060; repealing section 108, page 95, Laws of 1854, section 119, page 208, Laws of 1873, section 923, Code of 1881 and RCW 9.33.070; repealing section 363, chapter 249, Laws of 1909 and RCW 9.34.010; repealing section 364, chapter 249, Laws of 1909 and RCW 9.34.020; repealing section 365, chapter 249, Laws of 1909 and RCW 9.37.010; repealing section 367, chapter 249, Laws of 1909 and RCW 9.37.020; repealing section 421, chapter 249, Laws of 1909 and RCW 9.37.030; repealing section 422, chapter 249, Laws of 1909 and RCW 9.37.040; repealing section 1, chapter 46, Laws of 1911 and RCW 9.37.050; repealing section 1, chapter 78, Laws of 1937 and RCW 9.37.060; repealing section 370, chapter 249, Laws of 1909 and RCW 9.38.030; repealing section 409, chapter 249, Laws of 1909 and RCW 9.38.050; repealing section 267, chapter 249, Laws of 1909 and RCW 9.40.010; repealing section 268, chapter 249, Laws of 1909 and RCW 9.40.020; repealing section 269, chapter 249, Laws of 1909 and RCW 9.40.030; repealing section 847, Code of 1881, section 9, page 127, Laws of 1890 and RCW 9.40.050; repealing section 2, page 300, Laws of 1877, section 1225, Code of 1881, section 13, chapter 69, Laws of 1891 and RCW 9.40.060; repealing section 1, page 300, Laws of 1877, section 1224, Code of 1881, section 14, chapter 69, Laws of 1891 and RCW 9.40.070; repealing section 4, page 300, Laws of 1877, section 1227, Code of 1881, section 15, chapter 69, Laws of 1891 and RCW 9.40.080; repealing section 338, chapter 249, Laws of 1909 and RCW 9.44.010; repealing section 57, page 85, Laws of 1854, section 63, page 194, Laws of 1873, section 854, Code of 1881, section 331, chapter 249, Laws of 1909 and RCW 9.44.020; repealing section 332, chapter 249, Laws of 1909 and RCW 9.44.030; repealing section 57, page 85, Laws of 1854, section 63, page 194, Laws of 1873, section 854, Code of 1881, section 333, chapter 249, Laws of 1909 and RCW 9.44.040; repealing section 334, chapter 249, Laws of 1909 and RCW 9.44.050; repealing section 57, page 85, Laws of 1854, section 63, page 194, Laws of 1873, section 854, Code of 1881, section 335, chapter 249, Laws of 1909 and RCW 9.44.060; repealing section 336, chapter 249, Laws of 1909 and RCW 9.44.070; repealing section 122, chapter 249, Laws of 1909 and RCW 9.45.010; repealing section 219, chapter 249, Laws of 1909 and RCW 9.45.030; repealing section 375, chapter 249, Laws of 1909 and RCW 9.45.050; repealing section 1, page 99, Laws of 1890 and RCW 9.45.200; repealing section 138, chapter 249, Laws of 1909, section 1, chapter 49, Laws of 1970 ex. sess. and RCW 9.48.010; repealing section 139, chapter 249, Laws of 1909 and RCW 9.48.020; repealing section 12, page 78, Laws of 1854, section 12, page 200, Laws of 1869, section 12, page 182, Laws of 1873, section 786, Code of 1881, section 1, chapter 69, Laws of 1891, section 140, chapter 249, Laws of 1909 and RCW 9.48.030; repealing section 13, page 78, Laws of 1854, sections 13 and 14, page 200, Laws of 1869, section 13, page 182, Laws of 1873, section 790, Code of 1881, section 141, chapter 249, Laws of 1909 and RCW 9.48.040; repealing section 14, page 78, Laws of 1854, section 14, page 201, Laws of 1869, section 16, page 183, Laws of 1873, section 791, Code of 1881, section 142, chapter 249, Laws of 1909 and RCW 9.48.050; repealing section 16, page 78, Laws of 1854, section 16, page 201, Laws of 1869, section 18, page 183, Laws of 1873, section 793, Code of 1881, section 2, chapter 69, Laws of 1891, section 143, chapter 249, Laws of 1909, section 2, chapter 49, Laws of 1970 ex. sess. and RCW 9.48.060; repealing sections 37 and 38, page 81, Laws of 1854, sections 37 and 38, page 209, Laws of 1863, sections 41 and 42, page 188, Laws of 1873, section 820, Code of 1881, section 144, chapter 249, Laws of 1909 and RCW 9.48.070; repealing sections 37 and 38, page 81, Laws of 1854, sections 37 and 38, page 209, Laws of 1863, sections 41 and 42, page 188, Laws of 1873, section 821, Code of 1881, section 145, chapter 249, Laws of 1909 and RCW 9.48.080; repealing section 146, chapter 249, Laws of 1909 and RCW 9.48.090; repealing section 147, chapter 249, Laws of 1909 and RCW 9.48.100; repealing section 18, page 78, Laws of 1854, section 18, page 201, Laws of 1869, section 20, page 184, Laws of 1873, section 795, Code of 1881, section 148, chapter 249, Laws of 1909 and RCW 9.48.110; repealing section 19, page 78, Laws of 1854, section 19, page 201, Laws of 1869, section 21, page 184, Laws of 1873, section 796, Code of 1881, section 149, chapter 249, Laws of 1909 and RCW 9.48.120; repealing section 124, page 97, Laws of 1854, section 130, page 227, Laws of 1869, section 136, page 211, Laws of 1873, section 995, Code of 1881, section 150, chapter 249, Laws of 1909 and RCW 9.48.130; repealing section 151, chapter 249, Laws of 1909 and RCW 9.48.140; repealing section 152, chapter 249, Laws of 1909 and RCW 9.48.150; repealing section 153, chapter 249, Laws of 1909 and RCW 9.48.160; repealing section 154, chapter 249, Laws of 1909 and RCW 9.48.170; repealing section 1, chapter 6, Laws of 1933 ex. sess. and RCW 9.52.010; repealing section 3, chapter 6, Laws of 1933 ex. sess. and RCW 9.52.020; repealing section 159, chapter 249, Laws of 1909 and RCW 9.52.030; repealing section 36, page 84, Laws of 1854, section 38, page 205, Laws of 1869, section 40, page 187, Laws of 1873, section 819, Code of 1881, section 160, chapter 249, Laws of 1909 and RCW 9.52.040; repealing section 45, page 83, Laws of 1854, section 50, page 190, Laws of 1873, section 830, Code of 1881, section 349, chapter 249, Laws of 1909, section 3, chapter 165, Laws of 1915 and RCW 9.54.010; repealing section 1, chapter 155, Laws of 1915, section 1, chapter 64, Laws of 1919 and RCW 9.54.020; repealing section 1, chapter 60, Laws of 1917, section 1, chapter 124, Laws of 1974 ex. sess. and RCW 9.54.030; repealing section 2, chapter 60, Laws of 1917 and RCW 9.54.040; repealing section 1, chapter 156, Laws of 1915 and RCW 9.54.050; repealing section 350, chapter 249, Laws of 1909 and RCW 9.54.060; repealing section 351, chapter 249, Laws of 1909 and RCW 9.54.070; repealing section 352,

chapter 249, Laws of 1909 and RCW 9.54.080; repealing section 353, chapter 249, Laws of 1909, section 1, chapter 97, Laws of 1955 and RCW 9.54.090; repealing section 354, chapter 249, Laws of 1909 and RCW 9.54.100; repealing section 355, chapter 249, Laws of 1909 and RCW 9.54.110; repealing section 1, chapter 63, Laws of 1961 and RCW 9.54.115; repealing section 356, chapter 249, Laws of 1909 and RCW 9.54.120; repealing section 1, chapter 32, Laws of 1965 and RCW 9.54.140; repealing section 85, chapter 249, Laws of 1909 and RCW 9.55.010; repealing section 1, chapter 111, Laws of 1899, section 1, chapter 112, Laws of 1903, section 404, chapter 249, Laws of 1909, section 2, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.010; repealing section 1, chapter 64, Laws of 1893, section 1, chapter 41, Laws of 1897, section 405, chapter 249, Laws of 1909, section 3, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.020; repealing section 16, chapter 69, Laws of 1891, section 406, chapter 249, Laws of 1909, section 4, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.030; repealing section 1, page 30, Laws of 1862, section 1, page 300, Laws of 1877, sections 842, 843, 847, 848, 1224, Code of 1881, section 5, page 126, Laws of 1890, section 11, page 122, Laws of 1890, section 10, page 127, Laws of 1890, sections 4, 8, 11, 12, 13, 14, 16, 17, chapter 69, Laws of 1891, section 1, chapter 83, Laws of 1897, section 407, chapter 249, Laws of 1909, section 5, chapter 152, Laws of 1971 ex. sess., section 1, chapter 28, Laws of 1975 and RCW 9.61.040; repealing section 408, chapter 249, Laws of 1909, section 6, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.050; repealing section 414, chapter 249, Laws of 1909 and RCW 9.61.060; repealing section 415, chapter 249, Laws of 1909, section 1, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.070; repealing section 2, page 71, Laws of 1883, section 17, chapter 69, Laws of 1891 and RCW 9.61.080; repealing section 1, chapter 114, Laws of 1899, section 7, chapter 152, Laws of 1971 ex. sess. and RCW 9.61.090; repealing section 2, chapter 114, Laws of 1899 and RCW 9.61.100; repealing section 3, chapter 114, Laws of 1899 and RCW 9.61.110; repealing section 1, chapter 133, Laws of 1963 and RCW 9.61.220; repealing section 26, page 79, Laws of 1854, section 26, page 202, Laws of 1869, section 28, page 185, Laws of 1873, section 103, Code of 1881, section 155, chapter 249, Laws of 1909 and RCW 9.65.010; repealing section 156, chapter 249, Laws of 1909 and RCW 9.65.020; repealing section 157, chapter 249, Laws of 1909 and RCW 9.65.030; repealing section 303, chapter 249, Laws of 1909 and RCW 9.69.010; repealing section 78, page 90, Laws of 1854, section 87, page 201, Laws of 1873, section 883, Code of 1881, section 112, chapter 249, Laws of 1909 and RCW 9.69.020; repealing section 79, page 90, Laws of 1854, section 88, page 201, Laws of 1873, section 886, Code of 1881, section 113, chapter 249, Laws of 1909 and RCW 9.69.030; repealing section 79, page 90, Laws of 1854, section 88, page 201, Laws of 1873, section 885, Code of 1881, section 114, chapter 249, Laws of 1909 and RCW 9.69.040; repealing section 116, chapter 249, Laws of 1909 and RCW 9.69.050; repealing section 420, chapter 249, Laws of 1909 and RCW 9.69.060; repealing section 110, chapter 249, Laws of 1909 and RCW 9.69.070; repealing section 1, chapter 17, Laws of 1901, section 111, chapter 249, Laws of 1909, section 1, chapter 56, Laws of 1969 ex. sess. and RCW 9.69.080; repealing section 115, chapter 249, Laws of 1909 and RCW 9.69.090; repealing section 69, page 88, Laws of 1854, section 69, page 118, Laws of 1859, section 79, page 199, Laws of 1873, section 867, Code of 1881, section 99, chapter 249, Laws of 1909, section 1, chapter 46, Laws of 1957 and RCW 9.72.010; repealing section 870, Code of 1881, section 100, chapter 249, Laws of 1909 and RCW 9.72.020; repealing section 101, chapter 249, Laws of 1909 and RCW 9.72.030; repealing section 868, Code of 1881, section 102, chapter 249, Laws of 1909 and RCW 9.72.040; repealing section 869, Code of 1881, section 103, chapter 249, Laws of 1909 and RCW 9.72.050; repealing section 872, Code of 1881, section 104, chapter 249, Laws of 1909, section 2, chapter 46, Laws of 1957 and RCW 9.72.060; repealing section 873, Code of 1881, section 105, chapter 249, Laws of 1909 and RCW 9.72.070; repealing section 106, chapter 249, Laws of 1909 and RCW 9.72.080; repealing section 81, page 199, Laws of 1873, section 876, Code of 1881, section 108, chapter 249, Laws of 1909 and RCW 9.72.100; repealing section 71, page 89, Laws of 1854, section 77, page 216, Laws of 1869, section 81, page 199, Laws of 1873, section 877, Code of 1881, section 109, chapter 249, Laws of 1909 and RCW 9.72.110; repealing sections 3 and 4, page 81, Laws of 1854, section 36, page 204, Laws of 1869, section 38, page 187, Laws of 1873, section 829, Code of 1881, section 166, chapter 249, Laws of 1909 and RCW 9.75.010; repealing section 399, chapter 249, Laws of 1909 and RCW 9.75.020; repealing section 6, page 126, Laws of 1890 and RCW 9.75.030; repealing section 244, chapter 249, Laws of 1909 and RCW 9.76.020; repealing section 245, chapter 249, Laws of 1909 and RCW 9.76.030; repealing section 246, chapter 249, Laws of 1909 and RCW 9.76.040; repealing section 865, Code of 1881, section 247, chapter 249, Laws of 1909 and RCW 9.76.050; repealing section 1, chapter 229, Laws of 1959, section 1, chapter 76, Laws of 1967 and RCW 9.78.010; repealing section 2, chapter 229, Laws of 1959 and RCW 9.78.020; repealing section 4, chapter 229, Laws of 1959 and RCW 9.78.040; repealing section 813, Code of 1881, section 186, chapter 249, Laws of 1909, section 125, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.040; repealing section 815, Code of 1881, section 187, chapter 249, Laws of 1909, section 126, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.050; repealing section 188, chapter 249, Laws of 1909, section 1, chapter 186, Laws of 1927, section 127, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.060; repealing section 816, Code of 1881, section 1, chapter 33, Laws of 1905, section 189, chapter 249, Laws of 1909, section 128, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.070; repealing section 190, chapter 249, Laws of 1909, section 2, chapter 74, Laws of 1937, section 1, chapter 127, Laws of 1955, section 129, chapter 154, Laws of 1973 1st ex. sess. and RCW 9.79.080; repealing section 121, page 225, Laws of 1869, section 127, page 209, Laws of 1873, sections 1 and 2, chapter 149, Laws of 1895, section 203, chapter 249, Laws of 1909, section 1, chapter 111, Laws of 1943 and RCW 9.79.090; repealing section 2, chapter 139, Laws of 1893, section 204, chapter 249, Laws of 1909, section 3, chapter 74, Laws of 1937 and RCW 9.79.100; repealing section 120, page 225, Laws of 1869, section 126, page 209, Laws of 1873, sections 943, 944, Code of 1881, sections 3, 4, chapter 149, Laws of 1895, section 205, chapter 249, Laws of 1909, section 1, chapter

98, Laws of 1917 and RCW 9.79.110; repealing section 117, page 95, Laws of 1854, section 120, page 225, Laws of 1869, section 126, page 209, Laws of 1873, section 948, Code of 1881, section 206, chapter 249, Laws of 1909 and RCW 9.79.120; repealing section 2, chapter 65, Laws of 1961 and RCW 9.79.130; repealing section 133, chapter 249, Laws of 1909 and RCW 9.80.010; repealing section 134, chapter 249, Laws of 1909 and RCW 9.80.020; repealing section 17, page 78, Laws of 1854, section 17, page 201, Laws of 1869, section 19, page 184, Laws of 1873, section 794, Code of 1881, section 135, chapter 249, Laws of 1909 and RCW 9.80.030; repealing section 136, chapter 249, Laws of 1909 and RCW 9.80.040; repealing section 137, chapter 249, Laws of 1909 and RCW 9.80.050; repealing section 412, chapter 249, Laws of 1909 and RCW 9.83.010; repealing section 1, chapter 128, Laws of 1913 and RCW 9.83.020; repealing section 2, chapter 128, Laws of 1913 and RCW 9.83.030; repealing section 3, chapter 128, Laws of 1913 and RCW 9.83.040; repealing section 4, chapter 128, Laws of 1913 and RCW 9.83.050; repealing section 1, page 124, Laws of 1890, section 413, chapter 249, Laws of 1909, section 1, chapter 139, Laws of 1913 and RCW 9.83.060; repealing section 64, page 212, Laws of 1869, section 67, page 195, Laws of 1873 and RCW 9.83.070; repealing section 1, chapter 7, Laws of 1969 and RCW 9.83.080; repealing section 1, page 85, Laws of 1875, section 1271, Code of 1881, section 436, chapter 249, Laws of 1909, section 1, chapter 11, Laws of 1965, section 29, chapter 122, Laws of 1972 ex. sess. and RCW 9.87.010; repealing section 1, chapter 62, Laws of 1915 and RCW 9.87.020; repealing section 3, page 90, Laws of 1875, section 1273, Code of 1881 and RCW 9.87.030; repealing section 932, Code of 1881 and RCW 9.91.040; repealing section 382, chapter 249, Laws of 1909 and RCW 9.91.070; repealing section 383, chapter 249, Laws of 1909 and RCW 9.91.080; repealing section 4, chapter 241, Laws of 1955 and RCW 9.94.060; repealing section 3, chapter 28, Laws of 1891 and RCW 10.01.010; and repealing section 10, page 77, Laws of 1854, section 779, Code of 1881, section 2, chapter 28, Laws of 1891, section 1, chapter 12, Laws of 1937 and RCW 10.01.020;"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Patterson, Sherman.

To Committee on Rules for second reading.

April 30, 1975

ENGROSSED SENATE BILL NO. 2143, Prime Sponsor: Senator Talley, relating to contracts of first class cities. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Laughlin, Subcommittee Chairman; Amen, Blair, Cochrane, Fischer, Lee, North, Paris, Whiteside.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2443, Prime Sponsor: Senator Washington, amending shoreline management laws. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 23 after "contiguous" strike all material through "thereof" and insert "floodplain areas landward two hundred feet from such floodways"

On page 3, line 28 after "That" strike all material down to and including "width" on line 31 and insert "any county or city may determine that portion of a one-hundred-year-flood plain to be included in its master program as long as such portion includes, as a minimum, the floodway and the adjacent land extending landward two hundred feet therefrom"

On page 4, line 2 after "condition." insert "The floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state."

On page 5, beginning on line 27 of the engrossed bill, being line 27 of the printed bill as amended by the Senate amendment, strike the entire subsection (viii) and insert the following:

"(viii) Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water for the irrigation of lands.

(ix) The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with normal public use of the surface of the water.

(x) Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on the effective date of this 1975 amendatory act which were created, developed or utilized primarily as a part of an agricultural drainage or diking system."

Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Bauer, Becker, Chandler, Charnley, Deccio, Douthwaite, Hansen, Hawkins, Wilson, Zimmerman.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SENATE BILL NO. 2619, Prime Sponsor, Senator Day, providing a statewide medical education system for family practice training. Reported by Committee on Rules.

To Committee on Ways and Means – Appropriations.

April 30, 1975

ENGROSSED SENATE BILL NO. 2698, Prime Sponsor: Senator Francis, permitting the director of public safety to appoint twelve persons to unclassified positions. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Berentson, Cochrane, Fischer, Lee, McCormick, North, Paris, Smith (Edward), Whiteside, Wilson, Zimmerman.

To Committee on Rules for second reading.

April 30, 1975

SUBSTITUTE SENATE BILL NO. 2713, Original Prime Sponsor: Senator Walgren, changing requirements for county road construction day labor contracts. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Berentson, Cochrane, Fischer, McCormick, North, Paris, Smith (Edward), Zimmerman.

To Committee on Rules for second reading.

April 30, 1975

ENGROSSED SENATE JOINT RESOLUTION NO. 101, Prime Sponsor: Senator Francis, creating a new judicial article in the Constitution of Washington. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 1, line 9 after "following:" strike everything and insert:

"ARTICLE IVA

THE JUDICIAL SYSTEM

Article IVA, section 1. JUDICIAL SYSTEM. (1) Court System. The judicial power of the state shall be vested in a judicial system which shall be divided into one supreme court, a court of appeals, a superior court, a district court and such other courts as may be established by law.

(2) Court of Record. The supreme court, the court of appeals, and the superior court shall be courts of record. Any other court may be made a court of record by law.

(3) Right of Review. All parties shall be entitled to at least one review, except in civil cases of minor significance as designated by law. A trial de novo, as authorized by law, does not constitute a review.

(4) Operations. When necessary for the effective administration of justice, justices and judges may, pursuant to law, be directed or permitted to perform, temporarily, judicial duties in any court of record. Any justice or judge may, also, upon request and at his discretion, temporarily perform judicial duties in any court not of record. Retired justices or judges may, upon request and at their discretion, temporarily perform judicial duties in any court as provided by law.

(5) Decisions. All determinations of causes by any court shall be documented as required by law or rule.

(6) Decision Time Limits. The legislature, by law, shall prescribe time limits from the time of the submission of the cause within which decisions shall be rendered. The time limits shall not be less than six months for the supreme court, not less than four months for the court of appeals, and not less than three months for the superior court.

(7) Funding. The legislature shall provide the method of funding the operations of the courts to the extent it deems necessary.

(8) The judicial branch of the government of the state shall be subject to fiscal post-audit by the state auditor of receipts and expenditures of public funds within its control to the extent provided by law.

Article IVA, section 2. SUPREME COURT. (1) Number. The supreme court shall be not less than five nor more than nine justices as may be provided by law.

(2) Writs and Process. The supreme court shall have discretionary jurisdiction in habeas corpus, quo warranto, mandamus, certiorari, review and prohibition. It shall also have the power to issue writs, including such writs as the legislature may ordain, and process necessary or appropriate to secure justice to the parties and in aid of its jurisdiction.



(3) Appellate Jurisdiction. The supreme court shall have appellate jurisdiction over all judgments imposing a sentence of death or life imprisonment and shall have power to assume appellate jurisdiction over any other court decision. Appellate jurisdiction of decisions of other courts or administrative agencies shall be exercised as provided by law or by rule authorized by law.

Article IVA, section 3. COURT OF APPEALS. (1) Number. The number of judges of the court of appeals shall be as provided by law.

(2) Jurisdiction. The jurisdiction of the court of appeals shall be as provided by law or rule authorized by law.

Article IVA, section 4. SUPERIOR COURT. (1) Number. The number of judges of the superior court shall be as provided by law.

(2) Jurisdiction. The superior court shall have original jurisdiction in all cases except as to any limited original or concurrent jurisdiction as may be assigned to other courts by the legislature. The superior court shall also have such appellate jurisdiction as may be assigned by law. Judges of the superior court shall have the power to issue writs, including such writs as the legislature may ordain, and process necessary or appropriate to secure justice to parties and in aid of its jurisdiction.

Article IVA, section 5. DISTRICT COURTS. (1) Number. The number of judges of the district court shall be as provided by law.

(2) Jurisdiction. The district court shall have such jurisdiction as may be assigned by the legislature, provided, such courts shall not have jurisdiction of felonies or in civil cases where the boundaries or title to real property shall be in question.

Article IVA, section 6. JUDGES PRO TEMPORE. A case in the superior court or district court may be tried by a judge, pro tempore, who must be admitted to the practice of law in the state of Washington, agreed upon by the parties litigant or their attorneys of record, approved by the court and sworn to try the case. Such service shall not preclude such person from holding another public office during or after his service as a judge pro tempore.

Article IVA, section 7. ELIGIBILITY OF JUSTICES AND JUDGES. To be eligible for appointment or election to a judicial position in a court of record, the person must be domiciled within the state, a citizen of the United States, and admitted to the practice of law in the state of Washington. To be eligible for appointment or election to a judicial position in a district court, the person must meet all of the requirements of a judge sitting in a court of record except that a person who has been elected and has served as a justice of the peace or as a district court judge in Washington shall not be required to be admitted to the practice of law in the state of Washington.

Article IVA, section 8. ELECTION, APPOINTMENT AND TERMS OF JUSTICES AND JUDGES. (1) Method. Justices and judges shall be elected by the electorate as provided by law: PROVIDED, No person who meets the qualifications in Article IVA, section 7, other than a judge removed from office pursuant to Article IVA, section 13(3), shall be precluded from filing as a candidate for election to a judicial position.

(2) Term of Office. The term of office for justices of the supreme court and for judges of the court of appeals shall be six years and for judges of the superior court and the district court four years commencing on the second Monday in January following the election of the justice or judge. The term of office for judges of any other courts as may be established by the legislature shall be as provided by law.

(3) Vacancies in Judicial Positions. If a vacancy occurs in the office of a justice of the supreme court or a judge of the court of appeals or the superior court, the governor shall appoint a person residing in the electoral area served by such court to hold the office until the election and qualification of a justice or judge to fill the vacancy, which election shall take place at the next succeeding general election, and the justice or judge so elected shall hold office for the remainder of the unexpired term. A vacancy in the office of a judge of a district court or of a judge of any other courts as may be established by the legislature shall be filled as provided by law.

(4) Electorate. The electorate of the entire state shall vote on justices of the supreme court. The electorate for other judges shall be as provided by law.

(5) Times of Voting. Justices and judges shall be voted on at general elections unless provided otherwise by law.

(6) Nonpartisan. All judicial elections shall be nonpartisan.

Article IVA, section 9. OATHS. Every justice and judge shall, before entering upon the duties of his office, take and subscribe an oath that he will support the Constitutions of the United States and of the state of Washington, and will faithfully and impartially discharge his judicial duties to the best of his ability, which oath shall be filed in the office of the secretary of state.

Article IVA, section 10. COMPENSATION. Compensation for justices and judges shall be fixed and paid as provided by law but shall not be diminished during the term of a justice or judge.

Article IVA, section 11. RESTRICTION. (1) Practice of Law and Other Employment. No justice or judge of a court of record or full time district court judge shall engage in the practice of law or hold other employment inconsistent with canons of judicial conduct during the time in which he holds office.

(2) Politics. Any justice or judge shall, during his tenure in office, be ineligible to hold any other office or public employment other than a judicial office; nor shall he make contributions for the election of any public official nor engage in any political activities inconsistent with canons of judicial conduct.

Article IVA, section 12. RETIREMENT. Any justice or judge shall retire from office at the end of the calendar year in which the age of seventy-five years is attained. The legislature may provide for a lesser age

for mandatory retirement, not earlier than the end of the calendar year in which any justice or judge attains the age of seventy years.

Article IVA, section 13. **DISCIPLINE AND REMOVAL.** (1) **Judicial Qualifications Commission.** There shall be a commission on judicial qualifications. The commission shall be composed of an appellate court judge, appointed by the chief justice, a superior court judge, selected by the superior court judges, a district court judge, selected by the district court judges, two lawyers admitted to the practice of law in the state of Washington appointed by the bar association of the state and four lay citizens selected by the governor. Procedures of the commission and the terms of office of its members shall be prescribed by law.

(2) **Powers of Commission.** The judicial qualifications commission for cause may recommend to the supreme court that any justice or judge be suspended, removed or otherwise disciplined for misconduct in office or for willful and persistent failure to perform his duties or for conduct prejudicial to the administration of justice that brings the judicial office into disrepute. The commission may also recommend to the supreme court that a justice or judge be retired for disability seriously interfering with the performance of his duties which is of a permanent character.

(3) **Supreme Court Review.** Upon a recommendation for disciplinary action by the judicial qualifications commission, the supreme court shall hold a hearing to review the records of the proceedings of the commission on the law and facts, and in its discretion, may order retirement, suspension, removal, or any other appropriate discipline as it finds just and proper. Upon an order for involuntary retirement for a permanent disability, the justice or judge shall thereby be retired with the same rights and privileges as if he retired pursuant to law. Upon an order for removal, the justice or judge shall thereby be removed from office and his salary shall cease from the date of such order. On the entry of an order for retirement or for removal, the office shall be deemed vacant.

Article IVA, section 14. **THE CHIEF JUSTICE.** (1) **Selection and Term.** The chief justice shall be selected from the elected membership of the supreme court by a majority vote of the court for a term of four years and shall serve at the pleasure of the court. He may be selected to not more than two consecutive terms as chief justice upon a majority vote of the court, but no such selection shall extend the term of a justice. The term of the chief justice first selected shall commence on the effective date of this article and continue for the term herein provided and until his successor is selected by the court.

(2) **Administrative Role.** The chief justice shall be the chief administrative officer of the judicial system of the state of Washington and shall supervise and direct the performance of the management and administrative duties of the judicial system and shall preside at sessions of the supreme court. The supreme court may select an acting chief justice from the membership of the supreme court pursuant to rule to perform the duties of the chief justice in his absence.

Article IVA, section 15. **PROCEDURE.** The supreme court shall have authority to adopt rules for the procedure of all courts.

Article IVA, section 16. **MANAGEMENT AND ADMINISTRATION.** (1) **Responsibility.** Responsibility for the management and administration of the judicial system shall be vested in the supreme court and exercised pursuant to supreme court rule unless provided otherwise by law.

(2) **Court Administrator.** The supreme court shall appoint a court administrator and such other personnel as the court may deem necessary to aid the administration of the courts.

(3) **Administrative Regions.** The state may be divided into judicial regions for administrative purposes pursuant to supreme court rule. A region may embrace one or more trial court levels and one or more counties.

(4) **Chief Judge.** The judges of such administrative regions as shall be created by supreme court rule shall select one of their members to serve as chief administrative judge. Such chief administrative judge shall serve for such period of time as may be provided by supreme court rule. Subject to rules of the supreme court, the chief administrative judge of a region shall have general administrative authority over all courts within his region.

Article IVA, section 17. **COURT COMMISSIONERS.** The legislature may, by law, provide for court commissioners for each trial court level.

Article IVA, section 18. **CHARGING JURIES.** Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law.

Article IVA, section 19. **CLERK OF THE SUPERIOR COURT.** The county clerk shall be, by virtue of his office, clerk of the superior court.

Article IVA, section 20. **TRANSITION AND SAVINGS.** The adoption of this article shall not be construed to affect any existing right acquired under any statute, rule, regulation, resolution, ordinance, or order promulgated pursuant to and taking its validity from such superseded constitutional provision; nor as affecting any actions, activities, or proceedings validated thereunder, nor as affecting any civil or criminal proceedings instituted thereunder, nor the term of office, or appointment or employment of any person appointed or elected thereunder. All rights coming into existence and occurring on or after the effective date of this article shall be governed by the provisions of this article as though the article superseded hereby never existed.

Article IVA, section 21. **EFFECTIVE DATE.** This article, if approved by the voters, will become effective on the tenth day of January, 1977.

Article IVA, section 22. **NEW ARTICLE.** Sections 1 through 20 of this joint resolution shall constitute a new article number IVA in the Constitution of the state of Washington.

Article IVA, section 23. **REPEALER.** The following article of the Constitution of the state of Washington, or parts thereof, or amendments thereto, are each hereby repealed:

- (1) Article IV, sections 1 through 30.
- (2) Amendment 25.
- (3) Amendment 28.
- (4) Amendment 38.
- (5) Amendment 41.
- (6) Amendment 50.

BE IT FURTHER RESOLVED, That the secretary of state shall cause the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Patterson, Sherman.

To Committee on Rules for second reading.

SECOND READING

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

May 1, 1975

HOUSE BILL NO. 294, Prime Sponsor: Representative Conner, making miscellaneous changes in credit union laws. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Leckenby, Lysen, McCormick, Parker, Polk.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2048, Original Prime Sponsor: Senator Knoblauch, revising laws on boating. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 8 after "for identification" insert ": PROVIDED FURTHER, That racing shells designed and used exclusively for racing shall not have to be marked for identification"

On page 4, line 32 after "boating" strike "with the approval of the council"

On page 5, line 14 after "motorboats;" strike "and"

On page 5, line 15 after "propulsion;" insert "and one of hand powered craft;"

On page 6, line 8 after "34.04 RCW" strike all material down to and including "88.04 RCW" on line 9

On page 6, beginning on line 22 after "agency thereof" strike all material down to and including "purposes" on line 25 and insert "; to accept gifts, bequests, devises and endowments in keeping with the purposes of this chapter;"

On page 12, following line 9 of the engrossed bill, being line 15 of the printed bill, insert a new section as follows:

"NEW SECTION. Sec. 17. The council shall establish a boating safety course. Subsequent to the date on which such course is established, no individual under the age of sixteen shall be allowed to operate a powered vessel without first having successfully completed such boating safety course or a boating safety examination prescribed by the council."

Renumber the remaining section consecutively.

Signed by Representatives Hurley (Margaret), Chairwoman; Gaines, Vice Chairman; Curtis, Lee, Paris, Randall, Seeberger, Smith (Edward).

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SENATE BILL NO. 2467, Prime Sponsor: Senator Walgren, permitting mutual savings banks to convert to savings and loan associations. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Eikenberry, McCormick, Parker, Polk.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2480, Original Prime Sponsor: Senator Woody, providing changes in security regulation provisions. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Eikenberry, McCormick, Parker, Polk.

To Committee on Rules for second reading.

May 1, 1975

SENATE BILL NO. 2741, Prime Sponsor: Senator Clarke, establishing conversion procedures for savings and loan associations and mutual savings banks. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Eikenberry, McCormick, Parker, Polk.

To Committee on Rules for second reading.

#### MESSAGES FROM THE SENATE

May 2, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on HOUSE BILL NO. 385, and the President has appointed as members of said conference committee: Senators Jolly, Wilson and Benitz.

Sidney R. Snyder, Secretary.

May 2, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE JOINT MEMORIAL NO. 110, and has passed the memorial as amended by the House.

Sidney R. Snyder, Secretary.

#### SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 827, by Representatives King and Brown:

Providing changes in public disclosure provisions.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, Forty-eighth Day ex. sess., April 29, 1975.)

Mr. Thompson moved adoption of the following amendment by Representatives Thompson, Zimmerman and Wilson:

On page 1, line 4 insert the following:

"Section 1. Section 1, chapter 1, Laws of 1973 and RCW 42.17.010 are each amended to read as follows:

It is hereby declared by the sovereign people to be the public policy of the state of Washington:

(1) That political campaign and lobbying contributions and expenditures be fully disclosed to the public and that secrecy is to be avoided.

(2) That the people have the right to expect from their elected representatives at all levels of government the utmost of integrity, honesty and fairness in their dealings.

(3) That the people shall be assured that the private financial dealings of their public officials, and of candidates for those offices, present no conflict of interest between the public trust and private interests.

(4) That our representative form of government is founded on a belief that those entrusted with the offices of government have nothing to fear from full public disclosure of their financial and business holdings, provided those officials deal honestly and fairly with the people.

(5) That public confidence in government at all levels is essential and must be promoted by all possible means.

(6) That public confidence in government at all levels can best be sustained by assuring the people of the impartiality and honesty of the officials in all public transactions and decisions.

(7) That the concept of attempting to increase financial participation of individual contributors in political campaigns is encouraged by the passage of the Revenue Act of 1971 by the congress of the United States, and in consequence thereof, it is desirable to have implementing legislation at the state level.

(8) That the concepts of disclosure and limitation of election campaign financing are established by the passage of the Federal Election Campaign Act of 1971 by the congress of the United States, and in consequence thereof it is desirable to have implementing legislation at the state level.

(9) That small contributions by individual contributors are to be encouraged, and that not requiring the reporting of small contributions may tend to encourage such contributions.

(10) That the public's right to know of the financing of political campaigns and lobbying and the financial affairs of elected officials and candidates (~~far outweighs any right that these matters remain secret and private~~) shall be safeguarded against misuse for arbitrary and capricious purposes, and that elected officials and candidates shall be protected from harassment and unfounded allegations based on information they have freely disclosed.

(11) That, mindful of the right of individuals to privacy and of the desirability of the efficient administration of government, full access to information concerning the conduct of government on every level must be assured as a fundamental and necessary precondition to the sound governance of a free society.

The provisions of this chapter shall be liberally construed to promote complete disclosure of all information respecting the financing of political campaigns and lobbying, and the financial affairs of elected officials and candidates, and full access to public records so as to assure continuing public confidence in fairness of elections and governmental processes, and so as to assure that the public interest will be fully protected."

Renumber the remaining sections consecutively.

Representatives Thompson, King and Zimmerman spoke in favor of the amendment, and it was adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 2, line 15 after "PROVIDED" insert "That the term 'compensation' in the case of rental income, shall mean that rental income which is reportable as 'taxable income' under current definitions established by the Internal Revenue Service: PROVIDED FURTHER, That 'compensation' as relates to the sale of personal property, shall mean 'taxable income' under current definitions established by the Internal Revenue Service: PROVIDED FURTHER, For the purposes of this chapter 'compensation' shall not include ordinary interest or dividends on invested savings: PROVIDED FURTHER,"

Representatives Kuehnle, Tilly and Newhouse spoke in favor of the amendment, and Representatives Moon and Brown spoke against it.

Mr. Kuehnle spoke again in favor of the amendment, and Mr. Douthwaite spoke against it.

#### MOTION

On motion of Mr. Polk, the question was divided.

The Speaker stated the question before the House to be the amendment by Mr. Kuehnle to page 2, line 15 beginning with "That the term" and ending "Internal Revenue Service:"

Mr. Kuehnle spoke in favor of the amendment, and Mr. King spoke against it.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Leckenby.

Mr. Leckenby: "What kind of a definition is the commission proposing to adopt to cover this subject of compensation, which has obviously been a problem over the last two years?"

Mr. King: "I guess the answer to that is I don't know."

Mr. Leckenby spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle to page 2, line 15 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 34; nays, 62; not voting, 2.

Voting yea: Representatives Adams, Amen, Barnes, Berentson, Bond, Curtis, Deccio, Dunlap, Fischer, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Hansen, Hanscy, Hayner, Hurley M., Knowles, Kuehnle, Leckenby, Matthews, McCormick, Nelson, Newhouse, Pardini, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fortson, Gaines, Gallagher, Haley, Hanna, Hawkins, Hendricks, Hurley G. S., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Lee, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

Not voting: Representatives Haussler, Luders.

The Speaker stated the question before the House to be the second part of the Kuehnle amendment beginning "PROVIDED FURTHER," and ending "PROVIDED FURTHER,"

The amendment was not adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 2, line 15 after "kind" strike everything down to and through "entity" on line 20.

Mr. Kuehnle spoke in favor of the amendment, and Representatives Brown and King spoke against it.

#### POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Greengo.

Mr. Greengo: "Could you tell us if the per diem that lobbyists take should have to be reported under this disclosure law?"

Mr. Brown: "I'm not sure I can answer that because I'm not familiar with the L-form, which is the lobbyist reporting form, but I believe that all of their expenses are reported, and I'm reasonably certain at this point that they would have to, although they work on a slightly different basis than we do. They are very dependent upon the process used by their particular employer and I'm not sure how many of them are even on per diem in the same sense that you and I are drawing per diem here. We may be talking apples and oranges and I don't believe there is a total consistent pattern within the lobbying profession."

Mr. Polk spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "You say that it is required that we do declare the amount we receive from per diem in our income tax, I presume. I think this is true. My question is, if we take this language out of there and compensation, including per diem, is not required to be disclosed, you say that it is required to be disclosed—where does the law require that I disclose it if we strike this?"

Mr. King: "It's a matter of public record, as any expenditure of public funds have to be kept—I believe by the Chief Clerk. If you want to find out you could find out from him. The per diem we get now is less than what the federal government allows as a complete exemption from recording as income. This year your per diem will not have to reported under the federal income tax laws."

Representatives Douthwaite, Pardini and Kuehnle spoke in favor of the amendment, and Representatives Perry and Shinpoch spoke against it.

Mr. Thompson demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle to page 2, line 15 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 38; nays, 58; not voting, 2.

Voting yea: Representatives Adams, Amen, Berentson, Blair, Bond, Chandler, Charette, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hayner, Kalich, Kuehnle, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Thompson, Tilly, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Cochrane, Conner, Ehlers, Erickson, Fischer, Flanagan, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Wilson, Wojahn.

Not voting: Representatives Leckenby, Luders.

Mr. Newhouse moved adoption of the following amendment:

On page 3, line 15 after "voters" insert "PROVIDED, That an election in which the qualifications for voting include other than being a registered voter shall not be considered an election for purposes of this act"

Representatives Newhouse and Thompson spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Moon.

Mr. Moon: "Would this also include those offices that require an individual to be an attorney to qualify for the office, that is the prosecuting attorney's office and this type of elected official?"

Mr. Newhouse: "It was not so intended. I didn't read that into the act. I'm looking at the definition of an election, which states the qualifications for voting—we are talking about the elector, not the elected. You see, the only qualifications that I know of in any election in the state to be an elector, other than being a registered voter, would be in the case where you must be a landowner and then in that case not everybody that lives within the district votes, but only those who own land."

Mr. Moon: "That would be for flood control districts and that type of thing?"

Mr. Newhouse: "That is right."

The amendment was adopted.

On motion of Mr. Kuehnle, the following amendment was adopted:

On page 3, line 28 after "campaign" insert ": PROVIDED, That in reporting expenditures under this section, agreements to make expenditures, contracts and promises to pay may be reported as estimated obligations until actual payment is made"

On motion of Mr. Gallagher, the following amendment was adopted:

On page 3, line 31 after "spouse" strike the remainder of the subsection and insert "((and children living in the household and other relatives living in the household) , dependent children, and other dependent relatives, if living in the household"

Mr. Leckenby moved adoption of the following amendment:

On page 3, section 1, line 34 insert a new subsection as follows:

"(17) 'Individual' means a natural person."

Renumber the remaining subsections consecutively.

## POINT OF INFORMATION

Mr. Leckenby: "This amendment is part and parcel of another amendment on page 26. They should be discussed and acted upon as one, I believe."

The Speaker: "I think since you haven't got it before us, that we will just consider it when it comes up. I'm sure that we'll be on this for more than a day and if this passes, I'm sure the House would pass the second one later on. I'd rather keep them separate."

Mr. Leckenby: "If this amendment were to pass and the other one to fail, there would be no point in passing this one and vice versa. I wonder if we could hold this over until we could take the next one?"

The Speaker: "There's no problem with holding this on the desk while you prepare the other portion. If you wish, we'll do that."

Mr. Leckenby spoke in favor of the amendment.

## POINT OF ORDER

Mr. King: "My point of order is based on the idea that, taking the proposed amendment before us in context, the reason for adopting it is to go along with an amendment which will come later on, which results in restricting who can participate in political campaigns. The object of the public disclosure law is simply that, to make available to the public the necessary knowledge about how much money is spent in political campaigns and where it came from. The act does not, the object of the act, does not go to the question of saying who can participate in that process. My point of order is that the only purpose of presenting this proposed amendment, according to the maker of the motion, is to tie into another one which results in the limitation of who can participate in the political process and it far exceeds the object of the public disclosure law."

## SPEAKER'S RULING

The Speaker: "Representative King, I think the reasoning behind Mr. Leckenby's offering of an amendment would go into the scope and object of this particular amendment. This amendment does reflect to the word 'individual' as used in other contexts throughout the bill.

I don't see any real effect of this amendment, but the thing is that we would have to take your objection when we come to the particular amendment that is beyond the scope and object in your mind, rather than this, because 'individual' is used throughout this chapter."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. King: "If the amendment to page 26, which couples with this one to result in the limitation, is presented and it is ruled out of order, will it, in effect, go back and pick up the action on this definition insofar as it applies to that section of the bill?"

The Speaker: "My reaction to this particular amendment is that it doesn't mean anything anyway because that would be, I would think, the normal interpretation to the statute, because in other places in the statute it describes person and then says 'individual, corporation, partnership,' etc., etc. I think the word 'individual' is already used throughout the act with this in mind, so this could very well just merely be a definition of the word 'individual' in other portions of the act. About the most this would mean right now, would be clarifying the definition of what 'individual' means."

#### POINT OF ORDER

Mr. Lysen: "There is a bill presently in the Constitution and Elections Committee and also in the Subcommittee on Open Government that is identical to this amendment. I'm wondering if that is not a violation of the house rules to consider as an amendment a subject where a bill is identical?"

The Speaker: "If I understand your objection, Representative Lysen, this is a bill in its entirety that refers to page 3, section 1, line 34 inserting a new subsection to read as follows: '(17) Individual means a natural person,' Renumber the remaining subsections consecutively?"

Mr. Lysen: "Mr. Speaker, the bill deals with the subject matter of 'individuals' in limiting of campaign contributions, which these two amendments address themselves to."

The Speaker: "In my mind we are not to that portion yet, Representative Lysen. I think that's an objection that should be raised when you get to page 26. I think this amendment is purely a definition of what 'individual' is, although Representative Leckenby discussed it in relation to a future amendment, why he thought it necessary to have such a definition. The matter of page 26, line 7 I do not think is before the House at this time."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Brown: "Since we are looking at a definition and the way this law is drafted, the definition section in the very front of the bill does a number of things—my question is that suppose this particular amendment in the definition section were to be defeated and then subsequently Mr. Leckenby's amendment on page 26, which is an addition of a new section into the bill, were to pass and then it were determined that the definition of individual was necessary, would it be permissible at that time to submit another amendment like this and would it be considered at that time?"

The Speaker: "The House would have to reconsider their action, because the matter would have been already stricken. The Speaker doesn't like to rule ahead of time but the word 'individual' is perfectly clear to me and I don't see where it is inconsistent to adopt it later on."

Mr. King spoke against adoption of the amendment.

With the consent of the House, Mr. Leckenby withdrew the amendment.

#### MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Luders and Randall, who were excused.



## SECOND SUBSTITUTE HOUSE BILL NO. 827:

The House resumed consideration of the bill on second reading.

The Clerk read the following amendment by Representative Leckenby:

On page 5, line 1 insert a new subsection to read as follows:

"(25) 'Political party' means a major political party as that term is defined in RCW 29.01.090 as now enacted or hereinafter amended."

Renumber the remaining subsections consecutively.

With the consent of the House, Mr. Leckenby withdrew the amendment.

The Clerk read the following amendment by Representatives Chandler, Moon, Brown, Whiteside and Hawkins:

On page 5, line 15 insert the following new subsection:

"(28) 'Individual' means a natural person only."

With the consent of the House, Mr. Chandler withdrew the amendment.

Mr. Kuehnle moved adoption of the following amendment:

On page 5, section 2, line 28 following "exceeding" and before "dollars" strike "five" and insert "((five)) one hundred"

Mr. Kuehnle spoke in favor of adoption of the amendment.

Mr. Conner demanded an electric roll call and the demand was sustained.

Mr. Kuehnle spoke again in favor of the amendment, and Representatives Moon, Lysen, Charnley and Thompson spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle to page 5, line 28 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 9; nays, 85; not voting, 4.

Voting yea: Representatives Bond, Fischer, Hansen, Hayner, Jastad, Kalich, Kuehnle, Leckenby, Schumaker.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jueling, Kilbury, King, Knowles, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Luders, Parker, Wojahn.

Mr. Smith (Rick) moved adoption of the following amendment by Representatives Smith (Rick) and Patterson:

On page 5, line 28 after "exceeding" strike "five" and insert "((five)) twenty-five"

Representatives Smith (Rick), Patterson and Peterson spoke in favor of the amendment, and Representatives Charnley, Moon and Lysen spoke against it.

Mr. Pardini demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Smith (Rick) and Patterson to Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 62; nays, 34; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Becker, Berentson, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Conner, Curtis, Deccio, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Knowles, Kuehnle, Laughlin, Leckenby, Matthews, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Shipoch, Smith E. P., Smith R., Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bausch, Bender, Blair, Brown, Charnley, Clemente, Cochrane, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Freeman, Greengo, Haley, Hawkins, Hendricks, Hurley G. S., Jueling, Kalich, Kilbury, King, Lee, Lysen, Martinis, Maxie, Moon, Seeberger, Sherman, Sommers, Valle, Williams.

Not voting: Representatives Luders, Randall.

Mr. Kuehnle moved adoption of the following amendment:

On page 6, line 14 beginning with "(4)" strike down to and including "fund." on line 21 and insert "~~((Accumulated contributions in excess of one percent of the total accumulated contributions received or three hundred dollars (whichever is less), shall not be deposited, used or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state, and shall be paid to the state treasurer for deposit in the state general fund.))~~"

Representatives Kuehnle and Curtis spoke in favor of the amendment, and Representatives Brown, King and Smith (Rick) spoke against it.

Mr. Curtis spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle to page 6, line 14 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 13; nays, 81; not voting, 4.

Voting yea: Representatives Bond, Curtis, Deccio, Fischer, Flanagan, Hansen, Jastad, Kuehnle, May, Nelson, Schumaker, Tilly, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Eikenberry, Luders, Newhouse.

#### MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representatives Thompson, Wilson and Zimmerman to page 1, line 4 was adopted.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Thompson: "Would it be possible to set aside as Representative King suggests the question of reconsideration of the amendment to give an opportunity to rework the language?"

The Speaker (Mr. O'Brien presiding): "If Representative King should withdraw his motion to reconsider at this time for the purpose of consulting with you then I think this would be possible. This is one way of handling the matter."

With the consent of the House, Mr. King withdrew the motion.

#### POINT OF INFORMATION

Mr. Williams: "Are there any amendments that we need to be considering in the meantime that would be considered business that would affect the previous motion?"

The Speaker (Mr. O'Brien presiding): "That would be up to you and the other members of the House. There are many other amendments to be considered, but this wouldn't have any effect on a subsequent action on the other amendments."

Mr. Kuehnle moved adoption of the following amendment:

On page 6, line 14 strike "~~((anonymous)) unidentified~~" and insert "anonymous"

Representative Kuehnle spoke in favor of the amendment, and Representatives Blair and King spoke against it.

#### MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representatives Thompson, Zimmerman and Wilson to page 1, line 4 was adopted.

Representatives King and Thompson spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Representative King that the House reconsider the vote by which the amendment to page 1, line 4 was adopted, and the motion was carried by the following vote: Yeas, 78; nays, 11; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Curtis, Dunlap, Fischer, Freeman, Hansey, Kuehnle, Matthews, Pardini, Polk, Schumaker.

Not voting: Representatives Amen, Berentson, Haley, Haussler, Jueling, Luders, Randall, Smith E. P., Wilson.

#### MOTION FOR RECONSIDERATION

Mr. Gaspard, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Newhouse to page 3, line 15 passed the House.

Representatives Gaspard and Zimmerman spoke in favor of the motion and it was carried.

#### MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Monday, May 5, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**FIFTY-THIRD DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wash., Monday, May 5, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Kilbury, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christina Newlin and Mike Williams. Prayer was offered by Reverend Paul J. Beeman of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

May 2, 1975

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 104,  
SUBSTITUTE HOUSE BILL NO. 177,  
SUBSTITUTE HOUSE BILL NO. 246,  
ENGROSSED HOUSE BILL NO. 311,  
ENGROSSED HOUSE BILL NO. 544,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 2, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2133,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2808,  
ENGROSSED SENATE BILL NO. 2894,  
SENATE JOINT MEMORIAL NO. 111,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

**INTRODUCTION AND FIRST READING**

ENGROSSED SUBSTITUTE SENATE BILL NO. 2133, by Committee on State Government (Originally sponsored by Senators Lewis (Harry), Rasmussen and Odegaard):

Authorizing payment of claims against state officers or employees from tort claims revolving fund.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 2808, by Committee on Local Government (Originally sponsored by Senator Fleming):

Expanding the membership of the municipal research council.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2894, by Senators Day, Jones and Ridder:

Permitting ambulance service to claim lien against a tort-feasor.

To Committee on Social and Health Services

SENATE JOINT MEMORIAL NO. 111, by Senators Guess, Donohue, Jolly, Van Hollebeke, Goltz, Ridder, Stortini, Fleming, Bluechel, Benitz, Francis, Pullen, Beck, Buffington, Odegaard, Matson, Keefe, Wilson, Gould, North, Sellar, Lewis (Harry), Newschwander, Lewis (Bob), Day, Peterson and Murray:

Requesting the President to attend the dedications of Lower Monumental, Little Goose and Lower Granite Dams.

To Committee on Transportation and Utilities

#### REPORTS OF STANDING COMMITTEES

May 1, 1975

ENGROSSED SENATE BILL NO. 2265, Prime Sponsor: Senator Woody, revising regulations of alien banks. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Eikenberry, McCormick, Parker, Polk.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SENATE BILL NO. 2306, Prime Sponsor: Senator Day, revising the law relating to usury. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Eikenberry, Leckenby, McCormick, Pardini, Parker.

To Committee on Rules for second reading.

May 2, 1975

ENGROSSED SENATE BILL NO. 2322, Prime Sponsor: Senator Ridder, granting medical aid benefits under the industrial insurance act to volunteers. Reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, Freeman, Gilleland, Haley, King, Matthews, May, Parker.

To Committee on Rules for second reading.

May 2, 1975

ENGROSSED SENATE BILL NO. 2334, Prime Sponsor: Senator Francis, amending the laws relating to corporations. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SENATE BILL NO. 2466, Prime Sponsor: Senator Walgren, providing for deposit of retained percentage funds on public works contract in bank or savings accounts. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, following line 10 add a new section to read as follows:

"Sec. 2. Section 2, chapter 166, Laws of 1921 as last amended by section 2, chapter 38, Laws of 1970 ex. sess. and RCW 60.28.020 are each amended to read as follows:

After the expiration of the thirty day period, and after receipt of the department of revenue's certificate, and the public body is satisfied that the taxes certified as due or to become due by the department of revenue are discharged, and the claims of materialmen and laborers who have filed their claims, together with a sum sufficient to defray the cost of foreclosing the liens of such claims, and to pay attorneys' fees, have been paid, the public body shall pay to the contractor the fund retained by it or release to the contractor the securities and bonds held in escrow.

If such taxes have not been discharged or the claims, expenses, and fees have not been paid, the public body shall ~~(1) deduct such taxes and such claims, expenses and fees from the fund retained by it and pay the remainder, if any, to the contractor; or (2) order the securities and bonds held in escrow to be converted to money and returned to the public body who shall deduct such taxes and such claims, expenses, and fees from such sum and pay the remainder, if any, to the contractor)~~ either retain in its fund, or in an interest bearing account, or retain in escrow, at the option of the contractor, an amount equal to such

unpaid taxes and unpaid claims together with a sum sufficient to defray the costs and attorney fees incurred in foreclosing the lien of such claims, and shall pay, or release from escrow, the remainder to the contractor."

On line 1 of the title after "works;" and before "amending" strike "and"

On line 3 of the title after "RCW 60.28.010" and before the period insert "; and amending section 2, chapter 166, Laws of 1921 as last amended by section 2, chapter 38, Laws of 1970 ex. sess. and RCW 60.28.020"

Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Blair, Eikenberry, McCormick, Parker, Polk.

To Committee on Rules for second reading.

May 2, 1975

ENGROSSED SENATE BILL NO. 2509, Prime Sponsor: Senator Woody, permitting notaries public to use rubber stamps in addition to seals. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Newhouse, Sherman.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2517, Original Prime Sponsor: Senator Sandison, relating to higher education. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Moreau, Vice Chairman; Bond, Charnley, Nelson, Patterson, Perry, Peterson, Savage.

To Committee on Rules for second reading.

May 1, 1975

SENATE BILL NO. 2636, Prime Sponsor: Senator Donohue, implementing law relating to construction of Washington State University tree fruit research center and financing thereof. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Moreau, Vice Chairman; Bond, Charnley, Nelson, Patterson, Perry, Peterson, Savage.

To Committee on Rules for second reading.

May 2, 1975

SUBSTITUTE SENATE BILL NO. 2730, Original Prime Sponsor: Senator Lewis (Harry), prescribing requirements for humane treatment of animals. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 12, line 1 after "of" strike "wholesome"

On page 3, line 4 after "of a" strike the remainder of the section and insert "misdemeanor."

On page 5, line 25 after "of a" strike the remainder of the section and insert "misdemeanor."

Signed by Representatives Kilbury, Chairman; Amen, Boldt, Flanagan, Hansen, Hansey, Haussler, Laughlin, Tilly.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2855, Original Prime Sponsor: Senator Newschwander, excluding certain community college faculty appointments from rights relating to tenure. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Moreau, Vice Chairman; Bond, Charnley, Nelson, Patterson, Perry, Peterson, Savage.

To Committee on Rules for second reading.

#### MOTION

Mr. Moon moved that the Committee on Ways and Means be relieved of House Bill No. 673, and the bill be placed on the second reading calendar for today.

Representatives Moon, Lysen and Hurley (George) spoke in favor of the motion, and Representatives Kuehnle, Bagnariol and Conner spoke against it.

#### MOTION

Mr. Moon moved that the House amend his motion to include House Bill No. 670.

Mr. Moon spoke in favor of the motion.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Curtis: "Could you tell me if Mr. Moon's amendment is in order and whether or not that is what is being considered?"

The Speaker (Mr. O'Brien presiding): "Rule 82 states in part, '... Provided, that a majority of members elected to the house may require a committee to report back to the house during the order of business at which it may be considered.' We were going into the sixth order of business, second reading of bills, he made the motion under committee reports. No one raised a point of order at that time."

Mr. Curtis: "My point of inquiry, Mr. Speaker, is that Mr. Moon rose and said he wished to amend his motion by adding House Bill No. 670, and I am wondering if that amendment to his first motion is in order? I did not hear the motion put or the amendment put, and am wondering now if we are voting on his amendment to his motion or on his original motion?"

The Speaker (Mr. O'Brien presiding): "The amendment to the motion was not recognized."

Mr. Moon spoke in favor of the motion.

Mr. Hawkins demanded an electric roll call, and the demand was sustained.

#### MOTION

Mr. King moved that further action on Mr. Moon's motion be deferred, and that it be made a special order of business at 11:00 a.m., Monday, May 12.

Mr. King spoke in favor of the motion.

Mr. Kalich demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Representative King to make Mr. Moon's motion a special order of business, and the motion was lost by the following vote: Yeas, 19; nays, 76; not voting, 3.

Voting yea: Representatives Becker, Brown, Fortson, Gallagher, Gaspard, Haussler, Hurley M., Kalich, King, Kuehnle, Laughlin, Martinis, May, McKibbin, O'Brien, Savage, Seeberger, Smith R., Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Knowles, Leckenby, Lee, Lysen, Matthews, Maxie, McCormick, Moon, Moreau, Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Schumaker, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn.

Not voting: Representatives Kilbury, Luders, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Moon to relieve the Committee on Ways and Means of House Bill No. 673 and place it on the second reading calendar for today.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Moon to relieve the Committee on Ways and Means of House Bill No. 673, and the motion was lost by the following vote: Yeas, 27; nays, 67; not voting, 4.

Voting yea: Representatives Bausch, Becker, Bender, Boldt, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Fischer, Gaines, Hawkins, Hurley G. S., Laughlin, Lee, Lysen, Maxie, Moon, Savage, Seeberger, Sherman, Valle, Warnke, Williams, Wilson, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler,

Hayner, Hendricks, Hurley M., Jastad, Jueling, Kalich, King, Knowles, Kuehnle, Leckenby, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Schumaker, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Bauer, Kilbury, Luders, and Mr. Speaker.

#### MOTION

Mr. Kuehnle moved that House Bill No. 673 be rereferred from Committee on Ways and Means to Committee on Ways and Means – Revenue.

Mr. Kuehnle spoke in favor of the motion, and Mr. Charette spoke against it.

The motion was not carried.

#### SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 827, by Representatives King and Brown:

Providing changes in public disclosure provisions.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 48th Day ex. sess., April 30, and Fiftieth Day ex. sess., May 2, 1975.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the amendment by Representatives Thompson, Zimmerman and Wilson to page 1, line 4.

#### MOTION

On motion of Mr. Thompson, further action on reconsideration of the amendment was deferred.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the amendment by Representative Newhouse to page 3, line 15.

Mr. McKibbin moved adoption of the following amendment by Representatives McKibbin and Newhouse to the Newhouse amendment:

On line 2 of the amendment after "other than" and before "shall" on line 3 strike "being a registered voter" and insert "those requirements set forth in Amendment 63 to the Constitution of the state of Washington"

Representatives McKibbin and Newhouse spoke in favor of the amendment to the amendment, and it was adopted.

The amendment by Mr. Newhouse as amended was adopted.

With the consent of the House, Mr. Curtis withdrew the amendment by Mr. Kuehnle to page 6, line 14 and moved adoption of the following amendment by Representatives Curtis and Kuehnle in lieu thereof:

On page 6, line 14 after "contributions" insert ", other than those made by persons whose names must be maintained on a separate and private list by a political committee's campaign treasurer pursuant to RCW 42.17.090(1)(b)."

Representatives Curtis and King spoke in favor of the amendment, and Representative Brown spoke against it.

Mr. Curtis spoke again in favor of the amendment.

#### MOTION

On motion of Mr. Brown, further action on the Curtis/Kuehnle amendment was deferred, and the amendment was ordered to stand as a special order of business for 2:00 p.m.

Mr. Kuehnle moved adoption of the following amendments:

On page 6, line 30 after "day of" and before "month" strike "each" and insert "~~(each)~~ the"

On page 6, line 31 after "month" and before the period insert "in which the committee has received a contribution or made an expenditure: PROVIDED, That interest on moneys deposited or service charges shall not be deemed contributions or expenditures"

Representatives Kuehnle, Polk, Curtis and Ehlers spoke in favor of the amendments, and Representatives Brown and Eikenberry spoke against them.

The amendments were adopted.



## MOTION FOR RECONSIDERATION

Mr. Thompson moved that the House now reconsider the vote by which the amendment on page 1, line 4 by Representatives Thompson, Zimmerman and Wilson was adopted.

Mr. King moved adoption of the following amendment by Representatives King and Thompson to the Thompson/Zimmerman/Wilson amendment:

On page 1, line 3 of subsection (10) of the amendment after "candidates" strike the remainder of the subsection and insert "far outweighs any right that these matters remain secret and private." and on the last line of the amendment after "protected." insert "In promoting such complete disclosure, however, this chapter shall be enforced so as to insure that the information disclosed will not be misused for arbitrary and capricious purposes and to insure that all persons reporting under this chapter will be protected from harrassment and unfounded allegations based on information they have freely disclosed."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Hansey:

On page 6, line 31 after "month" insert ": PROVIDED, That the commission shall establish by rule, time periods during which the report required hereby shall show contributions and expenditures on a cumulative basis: PROVIDED, HOWEVER, That when the continuing political committee takes the form of custodian of surplus campaign funds from a previous campaign the cumulative period shall be no more than twelve months"

Representatives Polk, Hansey, Ehlers, Zimmerman and Parker spoke in favor of the amendment, and Representatives Brown and King spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Polk and Hansey to page 6, line 31 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 46; nays, 49; not voting, 3.

Voting yea: Representatives Adams, Amen, Barnes, Bagnariol, Barnes, Berentson, Bond, Ceccarelli, Charette, Chatalas, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Fischer, Flanagan, Freeman, Gaspard, Gilleland, Hansen, Hansey, Hayner, Hurley M., Jastad, Juelling, Kuehnle, Laughlin, Leckenby, Matthews, McCormick, Nelson, Newhouse, O'Brien, Pardini, Parker, Patterson, Polk, Randall, Schumaker, Shipoch, Thompson, Tilly, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Bender, Blair, Boldt, Brown, Chandler, Charnley, Clemente, Cochrane, Conner, Eikenberry, Eng, Erickson, Fortson, Gaines, Gallagher, Greengo, Haley, Hanna, Haussler, Hawkins, Hendricks, Hurley G. S., Kalich, King, Knowles, Lee, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, Paris, Perry, Peterson, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Valle, Warnke, Whiteside, Williams.

Not voting: Representatives Bauer, Becker, Kilbury.

Mr. Thompson moved adoption of the following amendment by Representatives Thompson, Zimmerman and Wilson:

On page 7, line 2 strike subsection (c) and renumber the remaining subsections consecutively.

Representatives Thompson, Zimmerman, Douthwaite and Curtis spoke in favor of the amendment, and Representatives Brown, Williams, King and Smith (Rick) spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Thompson, Zimmerman and Wilson to page 7, line 2 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 44; nays, 49; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Berentson, Bond, Charette, Chatalas, Curtis, Deccio, Douthwaite, Dunlap, Fischer, Flanagan, Freeman, Gaspard, Gilleland, Hanna, Hansen, Hansey, Hayner, Hurley M., Jastad, Knowles, Kuehnle, Laughlin, Leckenby, McCormick, Moreau, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Savage, Schumaker, Shipoch, Smith E. P., Thompson, Tilly, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charnley, Clemente, Cochrane, Conner, Ehlers, Eikenberry, Eng, Erickson, Fortson, Gaines, Gallagher, Greengo, Haley, Haussler, Hawkins, Hendricks, Hurley G. S., Juelling, Kalich, King, Lee, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, North, O'Brien, Parker, Perry, Peterson, Seeberger, Sherman, Smith R., Sommers, Valle, Warnke, Whiteside, Williams.

Not voting: Representatives Bagnariol, Bauer, Kilbury, Luders, Randall.

## MOTION

On motion of Mr. Charette, the House recessed until 1:15 p.m.

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 AFTERNOON SESSION
 

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The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bauer and Kilbury, who were excused.

## MESSAGE FROM THE SENATE

May 2, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2125,  
 SUBSTITUTE SENATE BILL NO. 2183,  
 SUBSTITUTE SENATE BILL NO. 2507,  
 SENATE BILL NO. 2650,  
 SENATE JOINT MEMORIAL NO. 110,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 104,  
 SUBSTITUTE HOUSE BILL NO. 177,  
 SUBSTITUTE HOUSE BILL NO. 246,  
 HOUSE BILL NO. 311,  
 HOUSE BILL NO. 544,  
 SUBSTITUTE SENATE BILL NO. 2125,  
 SUBSTITUTE SENATE BILL NO. 2183,  
 SUBSTITUTE SENATE BILL NO. 2507,  
 SENATE BILL NO. 2650,  
 SENATE JOINT MEMORIAL NO. 110.

## SECOND READING

## SECOND SUBSTITUTE HOUSE BILL NO. 827:

The House resumed consideration of the bill on second reading.

Mr. Thompson moved adoption of the following amendments by Representatives Thompson, Wilson and Zimmerman:

On page 7, line 22 after "inspection" and before "at" on line 23 strike "during normal business hours" and insert "for at least two consecutive hours each day between 8:00 a.m. and 8:00 p.m."

On page 7, line 28 after "inspection" and before "at" insert "for at least two consecutive hours each day between 8:00 a.m. and 8:00 p.m."

On page 9, line 20 after "inspection" and before "at" strike "during normal business hours" and insert "((during normal business hours)) for at least two consecutive hours each day between 8:00 a.m. and 8:00 p.m."

On page 9, line 26 after "inspection" and before "at" insert "for at least two consecutive hours each day between 8:00 a.m. and 8:00 p.m."

Representatives Thompson, Newhouse and Zimmerman spoke in favor of the amendments, and Representatives Brown and Williams spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Thompson, Zimmerman and Wilson to pages 7 and 9 of Second Substitute House Bill No. 827, and the amendments were adopted by the following vote: Yeas, 52; nays, 42; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Berentson, Bond, Charette, Chatalas, Conner, Curtis, Deccio, Dunlap, Ehlers, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hurley M., Jastad, Kalich, Knowles, Kuehnle, Laughlin, Martinis, May, McCormick, Newhouse, O'Brien, Pardini, Parker, Patterson, Perry, Polk, Savage,

Schumaker, Shinpoch, Smith E. P., Thompson, Tilly, Valle, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charnley, Clemente, Cochrane, Douthwaite, Eikenberry, Eng, Erickson, Fortson, Greengo, Haley, Hawkins, Hayner, Hendricks, Hurley G. S., Juelling, King, Leckenby, Lee, Lysen, Matthews, Maxie, McKibbin, Moon, Moreau, Nelson, North, Paris, Peterson, Randall, Seeberger, Sherman, Smith R., Sommers, Whiteside, Williams.

Not voting: Representatives Bauer, Hanna, Kilbury, Luders.

The Clerk read the following amendments by Representative Kuehnle:

On page 7, line 22 after "for" strike "public inspection" and insert "inspection by the commission"

On page 7, line 28 after "for" strike "public inspection" and insert "inspection by the commission"

With the consent of the House, Mr. Kuehnle withdrew the amendments.

Mr. Nelson moved adoption of the following amendment:

On page 7, line 15 strike subsections (5), (6) and (7) and renumber the remaining subsections consecutively.

Mr. Nelson spoke in favor of the amendment, and Mr. King spoke against it.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Brown.

Mr. Brown: "You said that the words are identical, which I agree, but isn't it true that section 3 refers to one kind of committee and section 4 to another? This is in different sections. They do, in fact, have different provisions and they are not the same."

Mr. King: "As it has been explained to me, page 6, line 27 says that this committee shall be subject to the provisions of various RCW's; the last, RCW 42.17.060, is the section which is amended in the next section of the bill. So by reference there, that is picked up."

Mr. Brown: "No, the next section is .080, not .060."

Mr. Nelson spoke again in favor of the amendment, and Mr. Brown spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson to page 7, line 15 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 10; nays, 83; not voting, 5.

Voting yea: Representatives Fischer, Gilleland, Jastad, Kuehnle, Matthews, Nelson, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bauer, Deccio, Kilbury, Luders, Pardini.

The Speaker assumed the Chair.

Mr. Polk moved adoption of the following amendment:

On page 7, line 33 after "campaign funds" insert ", but if no expenditures were made and no contributions were received since the date of the last report, such rules shall not require a report to be filed"

Representatives Polk and Ehlers spoke in favor of the amendment, and Mr. Brown spoke against it.

Mr. Polk spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to page 7, line 33 of Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 48; nays, 43; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Bausch, Berentson, Bond, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Knowles, Kuehnle, Laughlin, Leckenby, Martinis, Matthews, McCormick, Nelson, Newhouse, Pardini, Patterson, Perry, Polk, Randall, Schumaker, Thompson, Tilly, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Eikenberry, Eng, Erickson, Fortson, Hanna, Hawkins, Hendricks, Hurley G. S., Jueling, Kalich, King, Lee, Lysen, May, McKibbin, Moon, Moreau, North, O'Brien, Paris, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams.

Not voting: Representatives Bauer, Chatalas, Conner, Kilbury, Luders, Maxie, Parker.

### SPECIAL ORDER OF BUSINESS

The hour of 2:00 p.m. having arrived, the Speaker announced the question before the House to be consideration of the amendment to page 6, line 14 by Representatives Curtis and Kuehnle.

With the consent of the House, Mr. Curtis withdrew the amendment and moved adoption of the following amendment in lieu thereof:

On page 6, line 14 after "contributions" insert "other than those made by persons whose names must be maintained on a separate and private list by a political committee's campaign treasurer pursuant to RCW 42.17.090(1)(b), which total"

Mr. Curtis spoke in favor of the amendment.

### MOTION

Mr. King moved that the House defer consideration of the amendment until after consideration of the amendment by Representative Newhouse to page 28, line 32.

Representatives King and Thompson spoke in favor of the motion and it was carried.

Mr. Kuehnle moved adoption of the following amendment:

On page 8, line 36 after "section" and before the period insert "PROVIDED, That such report shall only be filed if the committee has received a contribution or made an expenditure in the preceding calendar month. Interest on moneys deposited or service charges shall not be deemed contributions or expenditures"

Mr. Kuehnle spoke in favor of the amendment.

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle to page 8, line 36 of Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 50; nays, 39; not voting, 9.

Voting yea: Representatives Adams, Amen, Barnes, Bausch, Berentson, Bond, Charette, Curtis, Deccio, Douthwaite, Dunlap, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Knowles, Kuehnle, Laughlin, Leckenby, Martinis, Matthews, McCormick, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charnley, Clemente, Cochrane, Eng, Erickson, Fortson, Gaspard, Haley, Hanna, Hawkins, Hendricks, Hurley G. S., Jueling, Kalich, King, Lee, Lysen, May, McKibbin, Moon, Moreau, North, Perry, Randall, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Valle, Williams.

Not voting: Representatives Bauer, Chatalas, Conner, Ehlers, Eikenberry, Kilbury, Luders, Maxie, Smith E. P.

The Clerk read the following amendment by Representative Polk:

On page 8, line 36 after "this section" insert the following "PROVIDED, That for purposes of this subsection only, if no expenditures were made and no contributions were received since the date of the last report, no report need be filed: PROVIDED FURTHER, That any interest earned and any service charges relative to funds held on deposit shall respectively not be considered as contributions to or charges against any contribution account"

With the consent of the House, Mr. Polk withdrew the amendment.

The Clerk read the following amendments by Representative Kuehnle:

On page 9, line 20 strike "public inspection" and insert "((public)) inspection by the commission"

On page 9, line 26 strike "public inspection" and insert "((public)) inspection by the commission"

On page 10, line 5 after "exceeding" strike "five" and insert "((five)) one hundred"

With the consent of the House, Mr. Kuehnle withdrew the amendments.

Mr. Smith (Rick) moved adoption of the following amendment by Representatives Smith (Rick) and Patterson:

On page 10, line 5 after "exceeding" and before "five" insert "twenty-"

Representatives Smith (Rick), Patterson and Kuehnle spoke in favor of the amendment, and Representatives Becker, Brown, Hurley (George), Seeberger and Lysen spoke against it.

#### POINT OF INQUIRY

Mr. Smith (Rick) yielded to question by Mr. Chandler.

Mr. Chandler: "Representative Smith, if, as Representative Brown asserts, a campaign—perhaps your own—if you felt there was some game playing going on, what recourse would you have? How could you determine the names and addresses of the contributors to that campaign under this or the present law?"

Mr. Smith (Rick): "That's a very good question, Representative Chandler. I think it's amply covered under the provisions of Initiative 276. Any candidate would still have to report his total expenditures. The raising from five dollars to twenty-five dollars wouldn't change that, and you'd have to do that on a regular basis during the campaign and it would be, I think, fairly obvious if the kind of game playing Representative Brown referred to were going on and someone was raising a lot of money with \$25 contributions that were not being disclosed in your C-3 report. The commission then has the power to come in, as does anybody, and look at the records at the treasurer's office or the candidate's home and see where this money is coming from, and I think it would be fairly obvious if these kinds of games were being played."

Mr. Chandler spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Charnley demanded an electric roll call and the demand was sustained.

Representatives Parker and Smith (Rick) spoke in favor of the amendment.

Mr. Conner demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Smith (Rick) and Patterson to page 10, line 5 of Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 49; nays, 42; not voting, 7.

Voting yea: Representatives Adams, Amen, Berentson, Bond, Chandler, Charette, Chatalas, Conner, Curtis, Deccio, Fischer, Flanagan, Gallagher, Gaspard, Gilleland, Greengo, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Matthews, McCormick, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Smith R., Thompson, Tilly, Warnke, Wilson, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charnley, Clemente, Cochrane, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fortson, Freeman, Gaines, Haley, Hanna, Hawkins, Hendricks, Hurley G. S., Jueling, Kalich, King, Lee, Lysen, Martinis, May, McKibbin, Moon, Perry, Randall, Seeberger, Sherman, Shipnepoch, Sommers, Valle, Williams.

Not voting: Representatives Bauer, Eikenberry, Kilbury, Maxie, Moreau, Paris, Smith E. P.

Mr. Kuehnle moved adoption of the following amendments:

On page 11, line 29 after "contribution shall" insert "knowingly"

On page 11, line 29 after "expenditure shall" insert "knowingly"

Mr. Kuehnle spoke in favor of the amendments, and Mr. Williams spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Mr. Kuehnle to page 11 of Second Substitute House Bill No. 827, and the amendments were not adopted by the following vote: Yeas, 22; nays, 66; not voting, 10.

Voting yea: Representatives Amen, Berentson, Bond, Curtis, Dunlap, Fischer, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Jastad, Kuehnle, Leckenby, Matthews, Nelson, Polk, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Jueling, Kalich, King, Knowles, Laughlin, Lee, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipnepoch, Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Blair, Hurley M., Kilbury, Luders, Maxie, Newhouse, Pardini, Patterson, Smith E. P.

On motion of Mr. Smith (Rick), the following amendment was adopted:

On page 11, line 33 after "concealment." add a new paragraph as follows:

"No employer, or officer, director, manager, or official of any company, union, or association of any kind, or any other person acting on behalf of such individual, shall direct, coerce, compel, or otherwise force, or attempt to direct, coerce, compel or otherwise force any employee or member to contribute to a designated candidate or political committee."

Mr. Haley moved adoption of the following amendment:

On page 12, line 5 after "agencies" strike down to and including "activities" on line 6.

Mr. Haley spoke in favor of the amendment, and Mr. Brown spoke against it.

The amendment was not adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 12, line 7 strike "and editorial comment" and insert "~~((and editorial comment))~~"

Representatives Kuehnle and Eikenberry spoke in favor of the amendment, and Representatives King and Curtis spoke against it.

Mr. Conner demanded the previous question and the demand was sustained.

The amendment was not adopted.

Mr. Charnley moved adoption of the following amendment:

On page 12, line 11 after "consideration" insert "for acting as a lobbyist"

Mr. Charnley spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Matthews.

Mr. Matthews: "If this amendment is adopted, would the public disclosure commission be able to draft regulations that would distinguish between the full-time salaried professional lobbyist on the one hand and on the other hand the small businessman, the college president, the labor union business agent or the minister or priest or any other salaried individual who is just here to tell us why a certain bill would help or hurt his organization? What reasoning could the public disclosure commission use in drawing that distinction in your proposed language?"

Mr. Charnley: "I believe the commission has that authority right now. The point of this is that if a businessman comes down here to lobby for, or to urge the consideration of a bill that he needs, he is only a casual lobbyist, he's not being paid to lobby. This is what my language intended—to help clarify the fact that they would clarify by rule and regulation that he is only a casual lobbyist and would not have to register. If he came down to lobby for, or to discuss with a legislator a concern that is of direct effect on his business, then under the same description he would be a lobbyist and not a casual lobbyist. Being an officer of that company he would be being paid and would therefore have to be registered."

Mr. Charnley spoke again in favor of the amendment, and Mr. Matthews spoke against it.

The amendment was adopted.

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Tuesday, May 6, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

FIFTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 6, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Kilbury, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Vernice Baxstrom and Jeff Holt. Prayer was offered by Reverend Paul J. Beeman of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE GOVERNOR

May 6, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 6, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 155: Defining duties of the prosecuting attorney authorizing the employment of special deputy prosecutors under certain circumstances.

HOUSE BILL NO. 324: Exempting cargo containers from property taxation.

HOUSE BILL NO. 486: Authorizing state support for certain county ferries.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

MESSAGES FROM THE SENATE

May 5, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2660,  
ENGROSSED SUB. SENATE JOINT RESOLUTION NO. 127,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 5, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 218,  
SUBSTITUTE HOUSE BILL NO. 220,  
SUBSTITUTE HOUSE BILL NO. 651,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2660, by Senators North and Bluechel:

Permitting nature conservancies to acquire open space for public use.

To Committee on Ecology

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 127, by Committee on Ways and Means (Originally sponsored by Senators Knoblauch, Donohue, Mardesich, Matson, Clarke, Scott, Sellar and Jones):

Establishing constitutionally a citizens' commission to set salaries of public officials.

## MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Substitute Senate Joint Resolution No. 127 was placed on the second reading calendar.

## REPORTS OF STANDING COMMITTEES

May 2, 1975

HOUSE BILL NO. 70, Prime Sponsor: Representative Conner, providing for licensing and taxing of movie and telecast showing of boxing and wrestling matches. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 28 after "including" strike all material down to and including "made" on page 2, line 3 and insert "a simultaneous telecast of any live, current or spontaneous boxing, sparring or wrestling match or performance on a closed circuit telecast within this state, whether originating in this state or elsewhere, and for which a charge is made"

On page 3, line 26 after "exhibiting" strike "movies of boxing, sparring, wrestling or"

Signed by Representatives Warnke, Chairman; Ceccarelli, Curtis, Dunlap, Gaines, Greengo, Wojahn.

To Committee on Rules for second reading.

May 2, 1975

HOUSE BILL NO. 219, Prime Sponsor: Representative Pardini, authorizing state general obligation bonds to fund community college capital projects previously approved by the legislature. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Bausch, Blair, Charette, Eikenberry, Erickson, Freeman, Gaspard, Hawkins, Hurley (George), Kilbury, Matthews, Moon, Moreau, Nelson, North, Pardini, Smith (Edward), Smith (Rick), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 2, 1975

HOUSE BILL NO. 300, Prime Sponsor: Representative Parker, adding services performed by classified employee for school district to unemployment coverage. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after "follows:" strike everything down to and including "section." on line 17 and insert the following:

"Commencing with benefit years beginning on or after the effective date of this act, services performed subsequent to the last day of the sixth completed calendar quarter preceding the effective date of this act in the employ of a school district as a classified employee thereof, shall be deemed services in employment to the extent that such services are not excluded from that term by RCW 50.44.040.

Such school district shall make payments in lieu of contributions with respect to benefits attributable to such employment as provided with respect to nonprofit organizations in subsections (2) and (3) of RCW 50.44.060.

NEW SECTION. Sec. 2. This act shall become effective commencing with the first week in which the general class of employees to be covered by this act would be legally precluded from establishing a benefit year under Title II of the 'Emergency Jobs and Unemployment Assistance Act of 1974' as it exists now or may be hereafter amended."

On page 1, line 2 of the title after "districts;" strike "and" and on line 3 after "RCW" insert "; and prescribing an effective date"



Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, King, Parker.

MINORITY recommendation: Do not pass. Signed by Representatives Freeman, Gilleland, Haley, Matthews.

To Committee on Rules for second reading.

May 1, 1975

HOUSE BILL NO. 732, Prime Sponsor: Representative Gaspard, authorizing state board of education rules relative to standards for certain schools not currently affected thereby. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 13 after "amended, or" strike "are" and insert "providing"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Ehlers, Eng, Fortson, Gaspard, Haley, Hayner, Hendricks, Hurley (George), Valle.

To Committee on Rules for second reading.

May 2, 1975

HOUSE BILL NO. 972, Prime Sponsor: Representative Adams, authorizing bonds for social and health services facilities. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Bausch, Blair, Charette, Ehlers, Freeman, Gaspard, Hawkins, Hurley (George), Kilbury, Moon, Moreau, Nelson, North, Pardini, Smith (Edward), Smith (Rick), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 2, 1975

HOUSE BILL NO. 1091, Prime Sponsor: Representative Chatalas, authorizing general obligation bond issue of state for University of Washington hospital facilities in lieu of university revenue bonds. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Bausch, Blair, Charette, Eikenberry, Erickson, Freeman, Gaspard, Hawkins, Hurley (George), Kilbury, Matthews, Moon, Moreau, Nelson, North, Pardini, Smith (Edward), Smith (Rick), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

April 30, 1975

HOUSE BILL NO. 1097, Prime Sponsor: Representative Tilly, requiring community club improvement funds to be placed in trust. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Dunlap, Gaines, Greengo, Kuehnle, O'Brien.

To Committee on Rules for second reading.

May 2, 1975

HOUSE BILL NO. 1143, Prime Sponsor: Representative Maxie, authorizing issuance of bonds for certain community college projects. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Bausch, Blair, Boldt, Charette, Ehlers, Eikenberry, Erickson, Freeman, Gaspard, Hawkins, Hurley (George), Kilbury, Luders, Matthews, McKibbin, Moon, Moreau, Nelson, North, Pardini, Smith (Edward), Smith (Rick), Sommers, Valle, Warnke.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SENATE BILL NO. 2032, Prime Sponsor: Senator von Reichbauer, providing that renewal of school district superintendent's contracts be solely at the discretion of the employer school board. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Fortson, Gaspard, Haley, Hayner, Hendricks, Valle, Whiteside.

To Committee on Rules for second reading.

May 5, 1975

ENGROSSED SENATE BILL NO. 2077, Prime Sponsor: Senator Knoblauch, fixing the compensation of jurors. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Smith (Rick), Subcommittee Chairman; Gaspard, Hanna, Hayner, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

May 5, 1975

SENATE BILL NO. 2114, Prime Sponsor: Senator Francis, authorizing the office of judicial officer in municipal courts of cities of more than four hundred thousand inhabitants. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 14 after "city," strike all material down to and including "ordinance." on line 15.

Signed by Representatives Knowles, Chairman; Smith (Rick), Subcommittee Chairman; Hanna, Hayner, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

May 1, 1975

SUBSTITUTE SENATE BILL NO. 2123, Original Prime Sponsor: Senator von Reichbauer, authorizing cancellation of certain school district warrants after one year from their call or issue. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Eng, Fortson, Haley, Hayner, Hendricks, Valle, Whiteside.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SENATE BILL NO. 2169, Prime Sponsor: Senator Bottiger, providing for the adoption and implementation of standards for integrating school library and media services. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Ehlers, Fortson, Gaspard, Haley, Hayner, Hendricks, Valle.

To Committee on Rules for second reading.

May 2, 1975

SUBSTITUTE SENATE BILL NO. 2241, Original Prime Sponsor: Senator Ridder, authorizing resumption of payment to a widow of a workman after remarriage has terminated. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 9 strike "eight hundred" and insert "~~((eight hundred))~~ one thousand"

On page 3, beginning on line 13 after "or" strike everything down to and including "lesser" on line 14 and insert "a sum equal to twenty-four monthly payments, whichever is the greater"

On page 3, beginning on line 27 after "or" strike everything down to and including "lesser" on line 28 and insert "a sum equal to twenty-four monthly payments, whichever is the greater"

On page 4, line 27 strike "twenty-two" and insert "twenty-three"

Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, King, May, Parker.

To Committee on Rules for second reading.

May 1, 1975

SECOND SUBSTITUTE SENATE BILL NO. 2258, Original Prime Sponsor: Senator Walgren, screening certain school children in order to identify any children with specific learning disabilities. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 21 after "shall" strike "immediately"

On page 2, add a new section following section 4 as follows:

"NEW SECTION. Sec. 5. This 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."

On page 1, line 4 of the title after "28A.03 RCW;" strike "and" and on line 5 after "section" insert "; and declaring an emergency"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Boldt, Fortson, Haley, Hayner, Hendricks, Valle, Whiteside.

To Committee on Rules for second reading.

May 1, 1975

ENGROSSED SENATE BILL NO. 2346, Prime Sponsor: Senator Matson, changing requirements relating to sale of real property by school districts. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 3 of the engrossed bill, being line 4 of the Senate committee amendment, after "sold for" insert "not less than"

On page 2, beginning on line 17 of the engrossed bill, after "district" strike all material down to and including "dollars" on line 18, striking the first amendment by Senator Woody

On page 2, beginning on line 25 of the engrossed bill, after "district" strike all material down to and including "dollars" on line 26, striking the second amendment by Senator Woody

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Ehlers, Eng, Fortson, Hayner, Hendricks, Valle, Whiteside.

To Committee on Rules for second reading.

May 1, 1975

SENATE BILL NO. 2633, Prime Sponsor: Senator Woody, directing state board of education to authorize high school credits for persons accepted into the national guard high school career training. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Bender, Boldt, Ehlers, Fortson, Gaspard, Haley, Hayner, Hendricks, Valle.

To Committee on Rules for second reading.

May 5, 1975

SENATE BILL NO. 2861, Sponsor: Committee on Higher Education, exempting certain educational housing from provisions relating to unfair discrimination or as affecting civil rights. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Smith (Rick), Subcommittee Chairman; Gaspard, Hanna, Hayner, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

## SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 827, by Representatives King and Brown:

Providing changes in public disclosure provisions.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, Forty-eighth Day ex. sess., April 30, 1975; Fiftieth Day ex. sess., May 2, 1975 and Fifty-third Day ex. sess., May 5, 1975.)

On motion of Mr. Perry the following amendment was adopted:

On page 3, line 28 after "campaign." insert "The term 'expenditure' does not include the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported."

Mr. Peterson moved adoption of the following amendment:

On page 5, line 28 after "any" strike "one person" and insert "~~(one person)~~ individual acting in a private capacity"

Mr. Peterson spoke in favor of the amendment, and Mr. Brown spoke against it.

Mr. Peterson again spoke in favor of adopting the amendment.

#### POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "It has been alleged here a number of times that if anyone wants to find out exactly where all a campaigner's money came from he need only consult the campaign treasurer and obtain from him a complete list of contributions regardless of how big or small they may be. I would like to know at this point whether that is true or not. The fact that we have changed 'five' to 'twenty-five' and that proviso dealing with contributions made from one person seem to me to state that this is not so, that if I received contributions of less than \$25 they need not be identified."

Mr. Brown: "No, you're right they need not be identified on your official report; however you shall retain a list of those and your treasurer would have a record of them. The whole purpose of the \$300 exemption is to use it for whatever purpose the candidate wants to use it for. You could have up to \$300 worth of contributions that you would not even have to have on that list that you maintain or the list that you report."

Mr. Douthwaite: "But the treasurer's list would have to identify contribution amounts and sources by names and addresses?"

Mr. Brown: "No, you can maintain \$300 in contributions without having any record of where it came from whatsoever."

Mr. Douthwaite: "But other than that they are identified?"

Mr. Brown: "Correct."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Peterson to page 5, line 28 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 31; nays, 60; not voting, 7.

Voting yea: Representatives Adams, Barnes, Blair, Bond, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Freeman, Gilleland, Greengo, Hanna, Hansey, Haussler, Hayner, Hurley M., Jastad, Leckenby, Lee, Matthews, McCormick, Nelson, Newhouse, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hansen, Hawkins, Hendricks, Hurley G. S., Jueling, Kalich, King, Knowles, Kuehne, Laughlin, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Peterson, Savage, Seeburger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Haley, Kilbury, Luders, Pardini, Randall, Wilson.

The Speaker assumed the Chair.

#### MOTION FOR RECONSIDERATION

Mr. Peterson, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment to page 5, line 28 failed to pass the House.

Representatives Peterson and Eikenberry spoke in favor of the motion, and Representatives King and Smith (Rick) spoke against it.

Mr. Peterson spoke again in favor of the motion for reconsideration.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. May: "On reconsideration aren't we supposed to have debate, one from each side instead of all this harangue we are having here?"

## SPEAKER'S RULING

The Speaker: "No, it's a regular motion and it opens up the entire matter for debate."

Mr. Parker spoke in opposition to the motion.

## POINT OF PARLIAMENTARY INQUIRY

Mr. King: "If we were to reconsider and adopt this proposed amendment would that preclude a point of order from being raised at a later time that would have to do with the question of whether or not the scope and object of this bill would include limitation of campaign donations?"

## SPEAKER'S RULING

The Speaker: "Representative King, I think that this could very well open up the entire scope of the bill, but the prohibition of different people making contributions could possibly be within the scope and object."

The motion was not carried.

Mr. Parker moved adoption of the following amendment by Representatives Parker and Curtis:

On page 12, following line 16 insert a new subsection as follows:

"(4) Persons who restrict their lobbying activities to no more than four days or parts thereof during any three-month period and whose total expenditures during such three-month period for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington in connection with such lobbying do not exceed fifteen dollars: PROVIDED, That the commission shall have authority to promulgate regulations which limit the use of this exemption by entities which sponsor or coordinate lobbying activities should it find that such regulations are necessary to prevent frustration of the purposes of this chapter or the limited purposes of this casual lobbying exemption. Any person exempt under this subsection (4) may at his option register and report under this chapter."

Renumber the remaining subsections consecutively.

Mr. Brown moved adoption of the following amendment to the Parker/Curtis amendment:

On line 7 after "shall" strike down to and including "exemption" on line 12 and insert "promulgate regulations to require disclosure by casual lobbyists or their employers or entities which sponsor or coordinate the lobbying activities of casual lobbyists if it determines that such regulations are necessary to prevent frustration of the purposes of this chapter"

Mr. Brown spoke in favor of the amendment to the amendment.

## POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Newhouse.

Mr. Newhouse: "As I read your amendment where an employer might be required to disclose, I look to the current situation where school teachers are in town lobbying. Would their employer or the school board be required to report by regulations that would be promulgated?"

Mr. Brown: "According to this one, yes, if they exceed four days in a three-month period or if there is an attempt to relay-lobby. They would then be required to report."

Mr. Newhouse: "My point is that the teachers are down here, not lobbying in the interest of the employers perhaps, yet you are going to require the employers to report, which seems inconsistent to me."

Mr. Brown: "We have left that discretion with the PDC whether it's to be the lobbyist himself or the employer or the entity directing the activities. This doesn't dictate to that level, it merely establishes a policy that some reporting may be required."

Mr. Parker spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker stated the question before the House to be the amendment by Representatives Parker and Curtis as amended.

Representatives Parker, Curtis, Brown and Haley spoke in favor of the amended amendment, and Mr. King spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Parker and Curtis as amended to page 12, line 16 of Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 59; nays, 34; not voting, 5.

Voting yea: Representatives Adams, Amen, Bauer, Berentson, Boldt, Bond, Brown, Chandler, Charette, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Haussler, Hayner, Hendricks, Hurley M., Jastad, Kuehnle, Laughlin, Leckenby, Lee, Matthews, May, McCormick, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Schumaker, Sherman, Smith E. P., Smith R., Thompson, Tilly, Valle, Whiteside, Wilson, Wajohn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bausch, Becker, Bender, Ceccarelli, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Fortson, Gaspard, Hanna, Hawkins, Hurley G. S., Juelling, Kalich, King, Knowles, Lysen, Martinis, Maxie, McKibbin, Moon, Savage, Seeberger, Shipoch, Sommers, Warnke, Williams.

Not voting: Representatives Blair, Hansey, Kilbury, Luders, Randall.

## MOTION FOR RECONSIDERATION

Mr. Brown, having voted on the prevailing side, moved that the rules be suspended to allow reconsideration of the vote by which the amendment to page 12, line 5 by Representative Haley failed to pass the House on the previous day.

Representatives Brown and King spoke in favor of the motion.

The motion was carried.

The Speaker stated the question before the House to be reconsideration of the Haley amendment.

Representatives Haley, Brown, Curtis and Smith (Rick) spoke in favor of the amendment, and Representative Charnley spoke against it.

The amendment was adopted.

## MOTION

Representative Hayner moved that Second Substitute House Bill No. 827 be returned to the Committee on Constitution and Elections.

Representatives Hayner, Blair and Charnley spoke in favor of the motion, and Mr. King spoke against it.

Mr. Pardini demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion to return Second Substitute House Bill No. 827 to Committee on Constitution and Elections, and the motion was lost by the following vote: Yeas, 29; nays, 65; not voting, 4.

Voting yea: Representatives Amen, Barnes, Blair, Chandler, Charnley, Deccio, Douthwaite, Dunlap, Eng, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hurley G. S., Jastad, Lee, Matthews, May, Moreau, Nelson, Pardini, Paris, Peterson, Polk, Smith E. P., Wilson, Wajohn.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Bond, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley M., Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Newhouse, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Eikenberry, Haley, Kilbury.

The Clerk read the following amendment by Representative Nelson:  
On page 13, line 2 after "interim" strike "weekly" and insert "~~((weekly))~~ monthly"

With the consent of the House, Mr. Nelson withdrew the amendment.

## MOTION FOR RECONSIDERATION

Mr. Gaspard, having voted on the prevailing side, moved that the rules be suspended to allow reconsideration of the vote by which the amendment by Representatives Smith (Rick) and Patterson to page 10, line 5 had been adopted by the House on the previous day.

Representatives Gaspard and King spoke in favor of the motion, and Representatives Smith (Rick) and Parker spoke against it.

The motion was not carried.

The Clerk read the following amendment by Representatives Lysen and King:  
On page 15, line 5 after "official," strike "successful"

With the consent of the House, Mr. Lysen withdrew the amendment.

The Clerk read the following amendment by Representative Kuehnle:  
On page 15, line 7 after "employer" insert "knowingly"

With the consent of the House, Mr. Kuehnle withdrew the amendment.

Mr. Tilly moved adoption of the following amendment:

On page 17, line 6 after "vice president" insert "nonsalaried elected officials of an agency having a total annual budget of \$50,000 or less"

Mr. Tilly spoke in favor of the amendment, and Mr. Brown spoke against it.

Mr. Tilly closed debate, speaking again in favor of the amendment.

The amendment was not adopted.

Mr. Newhouse moved adoption of the following amendment:

On page 17, line 14 after "months:" insert "PROVIDED, That no individual shall be required to file more than once in any calendar year:"

Mr. Newhouse spoke in favor of the amendment, and Mr. King spoke against it.

#### POINT OF INQUIRY

Mr. King yielded to question by Mrs. Hayner.

Mrs. Hayner: "I assume that as Chairman of the Constitution and Elections Committee you have had testimony on all facets of this bill; can you tell me, since this bill is in effect, what abuses have been revealed as a result of filing these F-1 forms? I understand that the purpose of the Public Disclosure Act is to show conflict of interest. Will you please tell me if any of that has been shown or where the abuses have been revealed?"

Mr. King: "The purpose of the public disclosure bill is simply to disclose, it's not to show. It's to let the public decide whether or not there has been a conflict of interest. That becomes an issue in debates that occur. I don't know to what extent, in campaigns and so on, that may have had an impact on the outcome of the election, but I assume that it may have a greater impact in the future."

Mrs. Hayner: "I know that there are groups carefully monitoring the C forms; is there any group, outside of individuals, who are looking at the F-1 forms?"

Mr. King: "There are amendments that we'll be dealing with in this bill later on, in which some members of the legislature want to make it mandatory that whoever looks at a form must indicate their name and address and who they represent. I assume that kind of amendment wouldn't be there unless some members of this legislature felt that there was some activity in that area. Now which groups, I don't know. I would assume that this bill is set up to provide a system to make it an adversary system where our political opponents who disagree with us are going to be the primary check on what's happening. If you come from an area where your people are completely satisfied with you as an individual, you probably won't have very much activity in the individual files at all; if there are some campaigns in your area, then you are likely to have a lot of people looking at those files. I've been told that some of them are pretty well thumbed."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to page 17, line 14 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 27; nays, 60; not voting, 11.

Voting yea: Representatives Amen, Berentson, Bond, Curtis, Fischer, Flanagan, Gilleland, Haussler, Hayner, Hurley M., Jastad, Juelling, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Nelson, Newhouse, Patterson, Polk, Schumaker, Thompson, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen,

Hansey, Hawkins, Hendricks, Hurley G. S., Kalich, King, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Pardini, Parker, Perry, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bauer, Blair, Chandler, Deccio, Grengo, Kilbury, Lee, Matthews, Moreau, Paris, Randall.

Mr. Kuehnle moved adoption of the following amendments:

On page 17, line 19 after "exceeded" strike "five thousand" and insert "twenty-five hundred"

On page 17, line 22 strike "five" and insert "~~((five))~~ twenty-five"

On page 19, line 34 strike "five thousand" and insert "~~((five thousand))~~ twenty-five hundred"

Mr. Kuehnle spoke in favor of the amendments, and Mr. Brown spoke against them.

Mr. Kuehnle closed debate, speaking again in favor of the amendments.

The amendments were not adopted.

Mr. Kuehnle moved adoption of the following amendments:

On page 17, line 23 after "address" and before "nature" insert "(:) and"

On page 17, line 23 after "of" strike "entity, nature and highest value of" and insert "~~((entity, nature and value of))~~"

Mr. Kuehnle spoke in favor of the amendments, and Mr. Brown spoke against them.

Mr. Kuehnle closed debate, speaking again in favor of the amendments.

The amendments were not adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 17, line 27 after the semicolon strike everything down to and including the semicolon on line 30 and insert "~~((the original amount of each debt to each such creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each such debt;))~~"

Representatives Kuehnle and Eikenberry spoke in favor of the amendment, and Mr. Brown spoke against it.

The amendment was not adopted.

Mr. Newhouse moved adoption of the following amendment:

On page 17, line 33 after "Sales Act)" insert "and current accounts payable as understood in a normal business sense"

Mr. Newhouse spoke in favor of the amendment, and Mr. King spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to page 17, line 33 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 27; nays, 63; not voting, 8.

Voting yea: Representatives Amen, Bond, Curtis, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gilleland, Grengo, Hansey, Haussler, Hayner, Hurley M., Jastad, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Paris, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Berentson, Blair, Deccio, Juelling, Kilbury, Lee, Moreau, Patterson.

Mr. Kuehnle moved adoption of the following amendment:

On page 18, line 13 after "more;" strike "the value of such compensation;" and insert "~~((the value of such compensation;))~~"

Mr. Kuehnle spoke in favor of the amendment, and Representatives Brown and Leckenby spoke against it.

The amendment was not adopted.

Mr. Eng moved adoption of the following amendments:

On page 19, line 6 after "excess of" strike "either"

On page 19, line 7 after "dollars" strike down to and including "less)" on line 9.

Mr. Eng spoke in favor of the amendments, and Mr. Brown spoke against them.



The amendments were adopted.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 218,  
SUBSTITUTE HOUSE BILL NO. 220,  
SUBSTITUTE HOUSE BILL NO. 651.

MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Lee, Maxie and North. Representatives Maxie and North were excused.

MESSAGE FROM THE SENATE

May 6, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 104,  
SUBSTITUTE HOUSE BILL NO. 177,  
SUBSTITUTE HOUSE BILL NO. 246,  
HOUSE BILL NO. 311,  
HOUSE BILL NO. 544,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 827:

The House resumed consideration of the bill on second reading.

Mr. Curtis moved adoption of the following amendment:

On page 19, line 2 after "name" strike down to and including "less" on line 9 and insert ", address and occupation of every other director and/or officer of such bank or commercial lending institution"

Representatives Curtis, Kuehnle and Pardini spoke in favor of the amendment, and Representatives Brown and King spoke against it.

Mr. Curtis closed debate, speaking again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Curtis to page 19, line 2 of Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 47; nays, 44; not voting, 7.

Voting yea: Representatives Adams, Amen, Berentson, Bond, Charette, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Kuehnle, Leckenby, Lee, Matthews, May, McCormick, Nelson, Newhouse, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Schumaker, Smith E. P., Thompson, Tilly, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, King, Laughlin, Luders, Lysen, Martinis, McKibbin, Moon, Moreau, Parker, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Valle, Warnke, Williams.

Not voting: Representatives Blair, Chandler, Chatalas, Jueling, Knowles, Maxie, North.

Mr. Thompson moved adoption of the following amendment by Representatives Thompson, Zimmerman and Wilson:

On page 20, line 3 strike all of subsection (1) and insert:

"((+) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall by rule prescribe.))"

Renumber the remaining subsections consecutively.

Mr. Thompson spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Thompson spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Thompson, Zimmerman and Wilson to page 20, line 3 of Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 51; nays, 38; not voting, 9.

Voting yea: Representatives Adams, Bauer, Berentson, Bond, Conner, Curtis, Douthwaite, Dunlap, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Kalich, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Smith E. P., Thompson, Tilly, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Ehlers, Eikenberry, Eng, Erickson, Fortson, Gaspard, Haley, Hanna, Hawkins, Hendricks, Hurley G. S., Kilbury, King, Lysen, McKibbin, Moreau, Peterson, Seeberger, Sherman, Shipoch, Smith R., Sommers, Valle, Warnke, Williams.

Not voting: Representatives Amen, Blair, Chatalas, Deccio, Jueling, Lee, Maxie, Moon, North.

The Clerk read the following amendment by Representative Kuehnle:

On page 20, line 6 beginning with "(2)" strike down to and including "required." on line 16 and insert:   
 "((2)-Where an amount is required to be reported under subsection (1), paragraphs (a) through (k) of this section, it shall be sufficient to comply with such requirement to report whether the amount is less than one thousand dollars, at least one thousand dollars but less than five thousand dollars, at least five thousand dollars but less than ten thousand dollars, at least ten thousand dollars but less than twenty-five thousand dollars, or twenty-five thousand dollars or more. An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection shall be interpreted to prevent any person from filing more information or more detailed information than required.))"

Renumber the remaining subsection consecutively.

With the consent of the House, Mr. Kuehnle withdrew the amendment.

On motion of Mr. Smith (Rick) the following amendment by Representatives Smith (Rick) and Berentson was adopted:

On page 21, line 34 beginning with "upon" strike all material down to and including "board" on line 1 of page 22 and insert "to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor: PROVIDED FURTHER, That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.04 RCW"

Mr. Thompson moved adoption of the following amendment by Representatives Thompson, Zimmerman and Wilson:

On page 22, line 4 after "available" and before "for inspection" strike "to any person" and insert "((to any person))" and on line 6 after "person" and before the period insert "who identifies himself or herself to such agency. Each agency shall maintain a listing of all records disclosed together with the identity of each person requesting such disclosure"

Mr. Thompson spoke in favor of the amendment, and Representatives King, Smith (Rick), Newhouse, Lysen and Hurley (George) spoke against it.

Mr. Thompson spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Thompson, Zimmerman and Wilson to page 22, lines 4 and 6 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 32; nays, 57; not voting, 9.

Voting yea: Representatives Adams, Bauer, Bausch, Berentson, Bond, Charette, Conner, Curtis, Dunlap, Fischer, Flanagan, Gallagher, Hansey, Haussler, Hurley M., Jastad, Knowles, Kuehnle, Laughlin, Martinis, McCormick, Pardini, Patterson, Savage, Schumaker, Sommers, Thompson, Tilly, Warnke, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bagnariol, Barnes, Becker, Bender, Boldt, Brown, Ceccarelli, Chandler, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hawkins, Hayner, Hendricks, Hurley G. S., Kalich, Kilbury, King, Leckenby, Lee, Lysen, Matthews, May, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Paris, Parker, Perry, Peterson, Polk, Randall, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Valle, Whiteside, Williams.

Not voting: Representatives Amen, Blair, Chatalas, Deccio, Jueling, Luders, Maxie, North, and Mr. Speaker.

On motion of Mr. Shinpoch, the following amendment was adopted:

On page 22, line 31 following the period strike all material down to and including "appropriation." on line 33.

Mr. Thompson moved adoption of the following amendment by Representatives Thompson, Zimmerman and Wilson:

On page 23, line 22 after "authorize" insert "; PROVIDED, That this subsection shall not apply to persons who file complaints with the Public Disclosure Commission about any elected official or candidate for elective office: PROVIDED FURTHER, That all complaints filed with the Public Disclosure Commission about any elected official or candidate for public office must be made in writing and signed by the complainant"

Representatives Thompson, Hansey, Smith (Rick) and Parker spoke in favor of the amendment, and Representative King spoke against it.

The amendment was adopted.

Mr. Lysen moved adoption of the following amendment by Representatives Lysen and King:

On page 25 following section 19, after line 31 insert a new section as follows:

"NEW SECTION. Sec. 20. There is added to chapter 42.17 RCW a new section to read as follows:

(1) Each lobbyist shall at the time he registers submit to the commission a recent three inch by five inch black-and-white photograph of himself together with the name of the lobbyist's employer, the length of his employment as a lobbyist before the legislature, a brief biographical description, and any other information he may wish to submit not to exceed fifty words in length; such photograph and information to be published at least annually in a booklet form by the commission for distribution to legislators and the public.

(2) There is established a fund to be known as the 'lobbyists' booklet revolving fund' which shall consist of all receipts from sales of the booklets described in subsection (1) of this section. This fund shall be used for expenses of production and sale of such booklets and for no other purpose."

Renumber the remaining sections consecutively.

Representatives Lysen, King, Douthwaite and Smith (Rick) spoke in favor of the amendment, and Representatives Newhouse and Brown spoke against it.

Mr. Lysen spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Lysen and King to page 25, line 31 of Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 53; nays, 29; not voting, 16.

Voting yea: Representatives Becker, Bender, Boldt, Bond, Ceccarelli, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gaspard, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hurley G. S., Jastad, Kilbury, King, Knowles, Kuehnle, Laughlin, Lysen, Martinis, McCormick, Moon, Moreau, O'Brien, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Sherman, Smith R., Sommers, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Adams, Barnes, Bauer, Berentson, Brown, Chandler, Charette, Conner, Curtis, Flanagan, Gallagher, Hansey, Hendricks, Hurley M., Leckenby, Matthews, May, McKibbin, Nelson, Newhouse, Pardini, Paris, Polk, Seeberger, Smith E. P., Thompson, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Amen, Bagnariol, Bausch, Blair, Deccio, Eikenberry, Gilleland, Jueling, Kalich, Lee, Luders, Maxie, North, Shinpoch, Wilson, and Mr. Speaker.

Mr. Leckenby moved adoption of the following amendment:

On page 26, line 7 insert a new section to read as follows:

"NEW SECTION. Sec. 21. There is added to chapter 42.17 RCW a new section to read as follows:

(1) A contribution to a candidate or to any campaign entity supporting a candidate may be made only by an individual or a political party. A contribution to a political party may be made only by an individual. A contribution from an individual to a candidate or to any campaign entity supporting a candidate or political party must be made directly to a candidate, campaign entity or the political party. No individual shall make any contribution through an agent or other intermediary of whatsoever nature.

(2) No candidate, campaign entity or political party shall accept a contribution not made in compliance with subsection (1) of this section. Every candidate, campaign entity or political party shall record the name and amount of any contribution received by him/her or it from each individual.

(3) A violation of this section shall be punishable by the imposition of a fine which shall not exceed five thousand dollars.

(4) For purposes of this section 'individual' shall mean a natural person and 'political party' shall mean a major political party as that term is defined in RCW 29.01.090 as now enacted or hereinafter amended."

Renumber the remaining sections consecutively.

## POINT OF ORDER

Mr. King: "The proposed amendment is, in my opinion, beyond the object of this bill and of the disclosure act in that it deals with who can contribute to a political campaign. The object of the Public Disclosure Act has dealt entirely with the question of public disclosure and not with limitations upon who can contribute and who can't. This particular amendment would prohibit associations and individuals from contributing."

Mr. Leckenby: "I think the scope of this is to make it public as to who is funding who and to try to make the funding to various candidates from the general public instead of the special interest groups. I think that it is within the purpose of the Public Disclosure Act."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears that the amendment offered does go beyond the scope and object of the bill. As a matter of fact, the material you add, Representative Leckenby, should comprise a bill of its own. The subject matter should be contained in a separate measure rather than added to the disclosure act which deals with public disclosure by way of reporting contributions, expenditures, etc. On that basis and in view of the fact that our House Rule 33 states, 'No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; . . .' and also supported by Reed's Rule 160, that amendments must be germane. The Speaker is going to rule that the amendment is beyond the scope and object of the measure and the material should be contained in a separate bill of its own."

Mr. King moved adoption of the following amendment:

On page 27, line 12 after "chapter." insert a new section as follows:

"Sec. 22. Section 36, chapter 1, Laws of 1973 and RCW 42.17.360 are each amended to read as follows:

The commission shall:

- (1) Develop and provide forms for the reports and statements required to be made under this chapter;
- (2) Prepare and publish (~~a manual~~) on or before July 1, 1976, manuals and information setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter;
- (3) Prepare and publish on or before July 1st of each year cumulative supplements to previously published manuals and information or revised versions of previously published forms, manuals, and information which shall incorporate all pertinent changes which occurred during the preceding calendar year;
- (4) Prepare and publish bulletins announcing pertinent changes, as they occur, in previously published forms, manuals, information, and supplements;
- (5) Distribute all necessary and appropriate forms, manuals, information, supplements and bulletins to:
  - (a) Each candidate (except for the offices of president, vice president and precinct committee person): PROVIDED, That such distribution shall be made upon receipt by the commission of the statement of political committee organization required by RCW 42.17.040 from each such candidate or upon each such candidate's filing of a declaration of candidacy, whichever occurs first: PROVIDED, FURTHER, That such distribution may be made by the election officer with whom such declaration has been filed;
  - (b) Each political committee (except those which are only established to support the candidacy of a single individual): PROVIDED, That such distribution shall be made upon receipt by the commission of the statement of organization required by RCW 42.17.040 from such a political committee: PROVIDED, FURTHER, That such distribution may be made by the county auditor with whom such statement of organization has been filed;
  - (c) Each registered lobbyist: PROVIDED, That such distribution shall be made upon receipt by the commission of the lobbyist registration statement required by RCW 42.17.150 from such a lobbyist;
  - (d) Each legislator and each committee of the legislature: PROVIDED, That such distribution shall be made on or before January 1st of each year;
  - (e) Each sponsor of a grass roots lobbying campaign: PROVIDED, That such distribution shall be made upon receipt by the commission of the registration statement required by RCW 42.17.200 from such a sponsor;
  - (f) Each state agency: PROVIDED, That such distribution shall be made on or before January 1st of each year;
  - (g) Each public official who must file the report of financial affairs required by RCW 42.17.240: PROVIDED, That such distribution shall be made on or before December 1st of the year preceding the year during which such official is required to file such a report by RCW 42.17.240 and, in the case of a person appointed to fill a vacancy in an office, such distribution shall be made upon such appointment;
  - (h) Any other person, committee, or entity whose obligation to report under this chapter can be ascertained by the commission: PROVIDED, That such distribution shall be made according to such rules and regulations as the commission may prescribe.

(6) Respond in writing to each request for clarification or interpretation of this chapter within thirty days of receiving such a request: PROVIDED, That the commission, before responding in writing to a telephone request, may require the person making such a request to submit the request to the commission in written form: PROVIDED, FURTHER, That nothing in this subsection shall be construed so as to suspend the reporting obligation of any person making such a request during the time prior to such person's receipt of the commission's written response;

((3)) (7) Compile and maintain a current list of all filed reports and statements;

((4)) (8) Investigate whether properly completed statements and reports have been filed within the times required by this chapter;

((5)) (9) Upon complaint or upon its own motion, investigate and report apparent violations of this chapter to the appropriate law enforcement authorities;

((6)) (10) Prepare and publish an annual report to the governor as to the effectiveness of this chapter and its enforcement by appropriate law enforcement authorities; and

((7)) (11) Enforce this chapter according to the powers granted it by law."

Renumber the remaining sections consecutively.

Mr. King spoke in favor of adoption of the amendment.

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative King to page 27, line 12 of Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 64; nays, 14; not voting, 20.

Voting yea: Representatives Adams, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Charette, Charmley, Clemente, Cochrane, Curtis, Douthwaite, Eng, Erickson, Fischer, Flanagan, Gaines, Gallagher, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Perry, Polk, Randall, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Brown, Chandler, Dunlap, Freeman, Gilleland, Greengo, Hendricks, Kuehne, Matthews, Patterson, Peterson, Schumaker, Whiteside.

Not voting: Representatives Amen, Bagnariol, Blair, Bond, Chatalas, Conner, Deccio, Ehlers, Eikenberry, Fortson, Gaspard, Haley, Juelling, Lee, Luders, Maxie, North, Shinpoch, Tilly, Wilson.

Mr. Newhouse moved adoption of the following amendment:

On page 28, line 32 insert the following:

"Sec. 23. Section 30, chapter 1, Laws of 1973 and RCW 42.17.400 are each amended to read as follows:

(1) The attorney general and the prosecuting authorities of political subdivisions of this state may bring civil actions in the name of the state for any appropriate civil remedy, including but not limited to the special remedies provided in RCW 42.17.390.

(2) The attorney general and the prosecuting authorities of political subdivisions of this state may investigate or cause to be investigated the activities of any person who there is reason to believe is or has been acting in violation of this chapter, and may require any such person or any other person reasonably believed to have information concerning the activities of such person to appear at a time and place designated in the county in which such person resides or is found, to give such information under oath and to produce all accounts, bills, receipts, books, papers, and documents which may be relevant or material to any investigation authorized under this chapter.

(3) When the attorney general or the prosecuting authority of any political subdivision of this state requires the attendance of any person to obtain such information or the production of the accounts, bills, receipts, books, papers, and documents which may be relevant or material to any investigation authorized under this chapter, he shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by registered mail to the person at least fourteen days before the date fixed for attendance. Such order shall have the same force and effect as a subpoena, shall be effective state-wide, and, upon application of the attorney general or said prosecuting authority, obedience to the order may be enforced by any superior court judge in the county where the person receiving it resides or is found, in the same manner as though the order were a subpoena. The court, after hearing, for good cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend, or postpone all or any part of its provisions. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in writing, and such action shall be subject to review by the appellate courts by certiorari or other appropriate proceeding.

(4) ((Any person who has notified the attorney general in writing that there is reason to believe that some provision of this chapter is being or has been violated may himself bring in the name of the state any of the actions (hereinafter referred to as a citizen's action) authorized under this chapter if the attorney general has failed to commence an action hereunder within forty days after such notice and if the attorney general has failed to commence an action within ten days after a notice in writing delivered to the attorney general advising him that a citizen's action will be brought if the attorney general does not bring an action: If the person who brings the citizen's action prevails, he shall be entitled to one-half of any judgment

awarded, and to the extent the costs and attorney's fees he has incurred exceed his share of the judgment, he shall be entitled to be reimbursed for such costs and fees by the state of Washington. PROVIDED; That in the case of a citizen's action which is dismissed and which the court also finds was brought without reasonable cause, the court may order the person commencing the action to pay all costs of trial and reasonable attorney's fees incurred by the defendant.

(5)) In any action brought under this section, the court may award to the state all costs of investigation and trial, including a reasonable attorney's fee to be fixed by the court. If the violation is found to have been intentional, the amount of the judgment, which shall for this purpose include the costs, may be trebled as punitive damages. If damages or treble damages are awarded in such an action brought against a lobbyist, the judgment may be awarded against the lobbyist, and the lobbyist's employer or employers joined as defendants, jointly, severally, or both. If the defendant prevails, he shall be awarded all costs of trial, and may be awarded a reasonable attorney's fee to be fixed by the court to be paid by the state of Washington."

Renumber the remaining sections consecutively.

Representative Newhouse spoke in favor of the amendment, and Representative Brown spoke against it.

The amendment was adopted.

Mr. Thompson moved adoption of the following amendment by Representatives Thompson, Zimmerman and Wilson:

On page 27, line 26 after "the" strike down to and including "thereof" on line 27 and insert "((fact that an alleged or apparent violation has occurred and the nature thereof)) time and date of any formal hearing set to determine whether a violation has occurred, the question or questions to be considered, and the results thereof"

Representatives Thompson and King spoke in favor of the amendment, and it was adopted.

#### SPECIAL ORDER OF BUSINESS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be consideration of the following amendment by Representatives Curtis and Kuehnle to page 6, line 14:

On page 6, line 14 after "contributions" insert ", other than those made by persons whose names must be maintained on a separate and private list by a political committee's campaign treasurer pursuant to RCW 42.17.090(1)(b), which total"

Representatives Curtis and Brown spoke in favor of the amendment.

#### y ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Curtis and Kuehnle to page 6, line 14 of Second Substitute House Bill No. 827, and the amendment was adopted by the following vote: Yeas, 55; nays, 26; not voting, 17.

Voting yea: Representatives Adams, Barnes, Bauer, Berentson, Boldt, Bond, Brown, Ceccarelli, Curtis, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Kilbury, King, Kuehnle, Laughlin, Leckenby, Martinis, Matthews, May, McCormick, Moon, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Schumaker, Seeberger, Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Wjahn, Zimmerman.

Voting nay: Representatives Bagnariol, Becker, Bender, Charette, Charnley, Cochrane, Douthwaite, Dunlap, Eng, Gaspard, Hanna, Hawkins, Hendricks, Hurley G. S., Juelling, Kalich, Lysen, McKibbin, Peterson, Randall, Savage, Sherman, Shinpocho, Smith E. P., Williams, Wilson.

Not voting: Representatives Amen, Bausch, Blair, Chandler, Chatalas, Clemente, Conner, Deccio, Ehlers, Knowles, Lee, Luders, Maxie, Nelson, North, Warnke, and Mr. Speaker.

On motion of Mr. King, the following amendment was adopted:

On page 28, line 19 after "order" insert "approved and ratified by a majority of the membership of the commission,"

Mr. King moved adoption of the following amendment by Representatives King and Brown:

On page 29, after section 23 add a new section as follows:

"NEW SECTION. Sec. 24. The house and senate standing committees on constitution and elections shall undertake a study of the administration of this chapter and, more specifically, of rules adopted by the public disclosure commission pursuant to the authority granted by this chapter in order to determine whether any such rules should be enacted by the legislature in statutory form, to determine whether any new or revised rules should be recommended for adoption by the commission, and to determine whether any other statutory changes should be made in this chapter. The committees shall report their findings and

recommendations to the first session of the legislature convening after January 1, 1976. The commission shall cooperate fully with the committees in the conduct of such study."

Renumber the following sections consecutively and correct internal references.

Mr. King spoke in favor of the amendment.

#### MOTION FOR RECONSIDERATION

Mr. Curtis, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative King to page 28, line 19 was adopted.

Mr. Curtis spoke in favor of the motion, and Mr. King spoke against it.

Mr. Curtis spoke again in favor of the motion to reconsider.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Curtis to reconsider the vote by which the King amendment to page 28, line 19 of Second Substitute House Bill No. 827 passed the House, and the motion was lost by the following vote: Yeas, 43; nays, 47; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Bausch, Berentson, Bond, Chandler, Chatalas, Curtis, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hurley M., Jastad, Juelling, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Peterson, Polk, Schumaker, Sommers, Thompson, Tilly, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Valle, Warnke, Williams.

Not voting: Representatives Blair, Deccio, Eikenberry, Lee, Luders, Maxie, North, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the King/Brown amendment adding a new section 24.

Representatives Brown, Williams and King spoke in favor of the amendment, and Representatives Thompson and Newhouse spoke against it.

The amendment was not adopted.

Mr. Chandler moved adoption of the following amendment:

On page 29, line 10 insert a new section to read as follows:

"NEW SECTION. Sec. 23. There is added to chapter 42.17 RCW a new section to read as follows:

(1) A contribution to a candidate or a candidate's campaign for the office of state senator or state representative may be made only by an individual as defined in RCW 42.17.020 (28) as now or hereafter amended. An individual making such a contribution is hereby required to be a resident of the same legislative district as the candidate. No individual shall make any contribution through an agent or other intermediary.

(2) No candidate for the state senate or state house of representatives shall accept a contribution which is not made in compliance with the provisions of subsection (1) of this section. Each candidate receiving a contribution governed by the provisions of subsection (1) of this section shall record the name of the individual making the contribution and the amount thereof.

(3) A violation of any provision of this section shall be a gross misdemeanor and shall be punishable by a fine not exceeding one thousand dollars or by imprisonment in the county jail for a period not exceeding six months or by both such fine and imprisonment."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. King: "I believe that this proposed amendment is beyond the scope and object of the bill and it does deal again with saying who can contribute to a political campaign rather than dealing with the question of public disclosure. This amendment says that you have to live in the candidate's district in order to participate in that campaign."

Mr. Chandler: "Mr. Speaker, I am aware of your previous ruling, but one point wasn't made at that time. In the original draft of Initiative 276 this measure did deal with campaign spending limitations. That was stricken by the Supreme Court in the Baer vs. Gorton decision. It seems appropriate that with that having taken place the legislature now address this same bill in a similar way attempting to place back into the law something dealing with the subject matter of contributions, their size, etc."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The Speaker will rule in the same manner as was made relative to Representative Leckenby's amendment. The area covered by your proposed new section is in the same realm, although somewhat different from Representative Leckenby's, relative to limitations on campaign contributions. It appears that your amendment, Representative Chandler, is in violation and not in accordance with Rule 33, that the amendment should be germane to the subject matter and any matter different from that under consideration shall not be admitted under color of an amendment, and also Reed's Rule 160 states that an amendment should be germane to the original subject matter. You are attempting to limit campaign contributions, narrowing the scope of campaign contributions, and the bill pertains to disclosure and reporting of campaign contributions, contributors, compensation and financial interests; therefore, the Speaker rules that the amendment by Representative Chandler is not germane to the subject matter of the bill and is out of order."

Mr. Gaspard moved adoption of the following amendments by Representatives Gaspard, Sommers and Smith (Rick):

On page 5, line 29 after "contributor" insert "so long as the campaign treasurer maintains a separate list of the names, addresses and amounts of each contributor"

On page 10, line 8 after "separate" strike "and private" and insert "((and private))"

Mr. Gaspard spoke in favor of the amendments.

## POINT OF INQUIRY

Mr. Gaspard yielded to question by Mr. Thompson.

Mr. Thompson: "This may be a Freedom of the Press amendment, Representative Gaspard. Would this permit the members of the working press to inspect the records and publish lists of contributors?"

Mr. Gaspard: "If it's public record, it certainly would."

The amendments were adopted.

Mr. Pardini moved adoption of the following amendment:

On page 29, line 10 add new sections to read as follows:

NEW SECTION. Sec. 23. Section 24, chapter 1, Laws of 1973 and RCW 42.17.240 are each hereby repealed.

NEW SECTION. Sec. 24. Sections 11 and 23 of this 1975 amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next succeeding general election to be held in this state, all in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof.

NEW SECTION. Sec. 25. In the event that the people, at the election held pursuant to section 24 vote for the repeal of RCW 42.17.240, then section 11 shall be void and of no effect."

Representatives Pardini, Flanagan, Curtis and Leckenby spoke in favor of the amendment, and Representatives Brown, Hurley (George) and King spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to page 29, line 10 of Second Substitute House Bill No. 827, and the amendment was not adopted by the following vote: Yeas, 21; nays, 70; not voting, 7.

Voting yea: Representatives Amen, Bond, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Gaines, Hayner, Jastad, Kalich, Kuehnle, Leckenby, McCormick, Newhouse, Pardini, Patterson, Schumaker, Tilly, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Juelling, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McKibbin, Moon, Moreau, Nelson, O'Brien, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn.

Not voting: Representatives Berentson, Blair, Lee, Matthews, Maxie, North, and Mr. Speaker.

Ms. Wojahn moved adoption of the following amendment:

On page 1 strike all material after the enacting clause and insert the following:



"NEW SECTION. Section 1. Sections 1 through 50, chapter 1, Laws of 1973 (Initiative Measure No. 276) and RCW 42.17.010 through 42.17.940 are each hereby repealed.

NEW SECTION. Sec. 2. This act shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1975, all in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof."

Representative Wojahn spoke in favor of the amendment, and Representatives King and Haley spoke against it.

Mr. Thompson demanded the previous question and the demand was sustained.

The amendment was not adopted.

On motion of Mr. King, the following amendment to the title by Representatives King and Brown was adopted:

On page 29, line 25 of the title after "42.17.300;" insert "amending section 36, chapter 1, Laws of 1973 and RCW 42.17.360;"

On motion of Mr. Thompson, the following amendment to the title by Representatives Thompson, Zimmerman and Wilson was adopted:

On page 1, line 1 of the title after "open government;" and before "amending" insert "amending section 1, chapter 1, Laws of 1973 and RCW 42.17.010;"

Second Substitute House Bill No. 827 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Wednesday, May 7, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**FIFTY-FIFTH DAY**

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**MORNING SESSION**

---

House Chamber, Olympia, Wash., Wednesday, May 7, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Knowles and Kuehnle, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carolyn Lembcke and Jim Clerget. Prayer was offered by Reverend Paul J. Beeman of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGE FROM THE GOVERNOR**

May 6, 1974

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 6, 1975, Governor Evans approved the following House Bill, entitled:

HOUSE BILL NO. 451: Pertaining to the cigarette excise tax.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

**MESSAGES FROM THE SENATE**

May 6, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 218,  
SUBSTITUTE HOUSE BILL NO. 220,  
SUBSTITUTE HOUSE BILL NO. 651,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 6, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2442,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2574,  
SENATE BILL NO. 2882,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

**INTRODUCTION AND FIRST READING**

ENGROSSED SUBSTITUTE SENATE BILL NO. 2442, by Committee on Higher Education (Originally sponsored by Senators Goltz, Benitz, Washington and Morrison):

Authorizing state colleges to offer degrees through master's degree subject to review and recommendations of council on higher education.

To Committee on Higher Education

ENGROSSED SUBSTITUTE SENATE BILL NO. 2574, by Committee on Natural Resources (Originally sponsored by Senator Peterson):

Authorizing buy-back of fishing vessels, gear and permits.

To Committee on Natural Resources

SENATE BILL NO. 2882, by Senator Bottiger:

Exempting certain deliberations of the state's institutions of higher education from the open public meetings act.

To Committee on Higher Education

REPORTS OF STANDING COMMITTEES

May 2, 1975

HOUSE BILL NO. 181, Prime Sponsor: Representative Maxie, exempting students seeking high school diploma or certificate from payment of community college fees and providing for placing in community college budgets amounts arising from waiver of fees authorized by law. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Bausch, Blair, Boldt, Charette, Chatalas, Ehlers, Erickson, Gaspard, Hawkins, Hurley (George), Kilbury, Matthews, Moon, Nelson, North, Pardini, Smith (Edward), Smith (Rick), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 2, 1975

SECOND SUBSTITUTE HOUSE BILL NO. 460, Original Prime Sponsor: Representative Hurley (Margaret), amending laws relating to snowmobiles. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass second substitute bill proposed by Committee on Parks and Recreation. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Boldt, Flanagan, Freeman, Gaspard, Hansey, Matthews, Polk, Smith (Edward), Smith (Rick), Valle, Warnke.

To Committee on Rules for second reading.

May 6, 1975

HOUSE BILL NO. 932, Prime Sponsor: Representative Fortson, relating to food fish and shellfish. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Commerce.

May 2, 1975

HOUSE BILL NO. 977, Prime Sponsor: Representative Bagnariol, authorizing bond issue for construction of executive offices. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 21 after "of" strike all material down to and including "seventeen" on line 22 and insert "thirty-six million, one hundred seventy-one thousand, three"

Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Bausch, Boldt, Charette, Curtis, Ehlers, Erickson, Gaspard, Kilbury, Luders, Moon, Moreau, North, Pardini, Polk, Smith (Edward), Sommers, Thompson, Valle, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Randall, Chairman - Revenue; Freeman, Hawkins, Matthews, Nelson, Smith (Rick).

To Committee on Rules for second reading.

April 23, 1975

HOUSE BILL NO. 1106, Prime Sponsor: Representative Erickson, allowing late filings for retired persons' tax exemption for good cause and permitting a refund of taxes paid by mistake or lack of knowledge of exemption. Reported by Committee on Ways and Means - Revenue.

**MAJORITY recommendation:** The substitute bill be substituted therefor and that the substitute bill do pass. Signed Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Hawkins, Hurley (George), Kilbury, Moreau, Sommers, Williams.

To Committee on Rules for second reading.

May 2, 1975

**HOUSE BILL NO. 1146,** Prime Sponsor: Representative Maxie, authorizing bonds for financing of Washington State University facilities. Reported by Committee on Ways and Means.

**MAJORITY recommendation:** The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman – Appropriations; Randall, Chairman – Revenue; Amen, Bausch, Boldt, Charette, Chatalas, Curtis, Ehlers, Erickson, Gaspard, Hawkins, Luders, Moon, Moreau, Nelson, Pardini, Polk, Smith (Edward), Sommers, Warnke.

To Committee on Rules for second reading.

May 6, 1975

**HOUSE BILL NO. 1178,** Prime Sponsor: Representative Sommers, relating to state government. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on State Government.

May 6, 1975

**HOUSE BILL NO. 1211,** Prime Sponsor: Representative Hanna, relating to malpractice insurance. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Social and Health Services.

May 1, 1975

**ENGROSSED SENATE BILL NO. 2210,** Prime Sponsor: Senator Stortini, authorizing fees for optional noncredit extra-curricular events of school districts and providing for their disposition. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The board of directors of any common school district may establish and collect a fee from students and nonstudents as a condition to their attendance at any optional noncredit extracurricular event of the district which is of a cultural, social, recreational or athletic nature: **PROVIDED,** That in so establishing such fee or fees, the district shall adopt regulations for waiving and reducing such fees in the cases of those students whose families, by reason of their low income, would have difficulty in paying the entire amount of such fees: **PROVIDED FURTHER,** That any regulations established pursuant to the foregoing proviso shall be based substantially on the income standards applicable to such district with regard to waiver or reduction of fees that would be charged under the district's meal program. An optional comprehensive fee may be established and collected for any combination or all of such events or, in the alternative, a fee may be established and collected as a condition to attendance at any single event. Fees collected pursuant to this section shall be deposited in the associated student body program fund of the school district, and may be expended to defray the costs of optional noncredit extracurricular events of such a cultural, social, recreational or athletic nature, or to otherwise support the activities and programs of associated student bodies.

**NEW SECTION.** Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.65 RCW a new section to read as follows:

There is hereby created in the county treasury a fund to be known as the associated student body program fund, and to be used as an operating fund by every school district having an associated student body as defined in RCW 28A.58.115. All moneys generated through the programs and activities of the associated student body shall be deposited in the associated student body program fund. Such funds may be invested for the sole benefit of the associated student body program fund in items enumerated in RCW 28A.58.440 and the county treasurer may assess a fee as provided therein. Disbursements from such fund shall be under the control and supervision, and with the approval, of the board of directors of the school district, and shall be by warrant as provided in chapter 28A.66 RCW: **PROVIDED,** That in no case shall such warrants be issued in an amount greater than the funds on deposit with the county treasurer in the associated student body program fund. To facilitate the payment of minor or unexpected obligations, or obligations which require immediate payment, an imprest bank account or accounts may be created and replenished from the associated student body program fund.

The associated student body program fund shall be budgeted by the associated student body, subject to approval by the board of directors of the school district. All disbursements from the associated student

body program fund or any imprest bank account established thereunder shall have the prior approval of the appropriate governing body representing the associated student body. Notwithstanding the provisions of RCW 43.09.210, it shall not be mandatory that expenditures from the district's general fund in support of associated student body programs and activities be reimbursed by payments from the associated student body program fund.

The effective date of this section shall be July 1, 1976.

Sec. 3. Section 1, chapter 52, Laws of 1973 and RCW 28A.58.115 are each amended to read as follows:

As used in this section, an "associated student body" means the formal organization of the students of a school formed with the approval of and regulation by the board of directors of the school district in conformity to the rules and regulations promulgated by the superintendent of public instruction.

The superintendent of public instruction, after consultation with appropriate school organizations and students, shall promulgate rules and regulations to designate the powers and responsibilities of the boards of directors of the school districts of the state of Washington in developing efficient administration, management, and control of moneys, records, and reports of the associated student bodies organized in the public schools of the state.

The application of the provisions of this section is suspended until July 1, 1976.

Sec. 4. Section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 92, Laws of 1974 ex. sess. and RCW 28A.04.120 are each amended to read as follows:

In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Approve the program of courses leading to teacher certification offered by all institutions of higher education within the state which may be accredited and whose graduates may become entitled to receive teachers' certification.

(2) Investigate the character of the work required to be performed as a condition of entrance to and graduation from any institution of higher education in this state relative to teachers' certification, and prepare an accredited list of those higher institutions of education of this and other states whose graduates may be awarded teachers' certificates.

(3) Supervise the issuance of teachers' certificates and specify the types and kinds of certificates necessary for the several departments of the common schools by rule or regulation in accordance with RCW 28A.70.005.

(4) Examine and accredit secondary schools and approve, subject to the provisions of RCW 28A.02-.201, private schools carrying out a program for any or all of the grades one through twelve: PROVIDED, That no public or private high schools shall be placed upon the accredited list so long as secret societies are knowingly allowed to exist among its students by school officials.

(5) Make rules and regulations governing the establishment in any existing nonhigh school district of any secondary program or any new grades in grades nine through twelve. Before any such program or any new grades are established the district must obtain prior approval of the state board.

(6) Prepare such outline of study for the common schools as the board shall deem necessary, and prescribe such rules for the general government of the common schools, as shall seek to secure regularity of attendance, prevent truancy, secure efficiency, and promote the true interest of the common schools.

(7) Prepare with the assistance of the superintendent of public instruction a uniform series of questions, with the proper answers thereto for use in the correcting thereof, to be used in the examination of persons, as this code may direct, and prescribe rules and regulations for conducting any such examinations.

(8) Continuously reevaluate courses and adopt and enforce regulations within the common schools so as to meet the educational needs of students and articulate with the institutions of higher education and unify the work of the public school system.

(9) Prepare courses of instruction in physical education, and direct and enforce such instruction throughout the state, with the assistance of the school officials, intermediate school district superintendents and the boards of directors of the common schools.

(10) Carry out board powers and duties relating to the organization and reorganization of school districts under chapter 28A.57 RCW.

(11) By rule or regulation promulgated upon the advice of the state fire marshal, provide for instruction of pupils in the public and private schools carrying out a K through 12 program, or any part thereof, so that in case of sudden emergency they shall be able to leave their particular school building in the shortest possible time or take such other steps as the particular emergency demands, and without confusion or panic; such rules and regulations shall be published and distributed to certificated personnel throughout the state whose duties shall include a familiarization therewith as well as the means of implementation thereof at their particular school.

(12) Adopt rules and regulations governing the relationship between school districts and any nonprofit organization which facilitates the conduct of interschool activities as provided in section 5 of this 1975 amendatory act.

(13) Hear and decide appeals as otherwise provided by law.

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Except as otherwise specifically restricted by rule and regulation of the state board of education or other law, every board of directors of a common school district may authorize any school of the district to

purchase the services of any nonprofit organization which facilitates the conduct, scheduling and programming of interschool activities and participation therein: PROVIDED, That any such nonprofit organization:

(1) Does not discriminate on the basis of sex, race, religion or national origin in practice or membership;

(2) Includes individuals who are employed as common school district administrators and individuals who are common school district directors upon its governing board; and

(3) Adopts its printed rules and regulations consistent with those which may be adopted by the state board of education; whenever a local board of directors finds that the rules of the organization may be in conflict with state law or district policy, that district may appeal to the state board of education which shall be ultimately responsible for a prompt resolution of any such conflict.

**NEW SECTION.** Sec. 6. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 7. Section 1 of this 1975 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing public institutions, and shall take effect July 1, 1975."

On page 1, line 1 of the title after "Relating to" strike the remainder of the title and insert "schools; amending section 28A.04.120, chapter 233, Laws of 1969 ex. sess. as last amended by section 1, chapter 92, Laws of 1974 ex. sess. and RCW 28A.04.120; amending section 1, chapter 52, Laws of 1973 and RCW 28A.58.115; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; prescribing effective dates; and declaring an emergency."

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Brown, Ehlers, Eng, Fortson, Gaspard, Haley, Hendricks, Hurley (George).

To Committee on Rules for second reading.

May 2, 1975

**ENGROSSED SENATE BILL NO. 2271**, Prime Sponsor: Senator Donohue, authorizing increased state matching funds for school construction. Reported by Committee on Ways and Means.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 3, line 1 after "building" strike "or" and insert "(or) by"

On page 3, following section 1 add a new section as follows:

"**NEW SECTION.** Sec. 2. The state board of education shall prioritize the construction of common school facilities only from funds appropriated and available in the common school construction fund."

Renumber the remaining section consecutively.

Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Blair, Boldt, Charette, Chatalas, Ehlers, Erickson, Gaspard, Luders, Matthews, Moon, Moreau, Nelson, North, Pardini, Smith (Edward), Smith (Rick), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 6, 1975

**SUBSTITUTE SENATE BILL NO. 2427**, Original Prime Sponsor: Senator Peterson, regulating the disposal of hatchery fish by the department of fisheries. Reported by Committee on Natural Resources.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 12 after "shall not be" insert "in numbers greater than reasonably necessary for adequate testing and shall not be unnecessarily"

On page 2, line 2 after "department of" strike "social and health services" and insert "general administration"

On page 2, line 8 after "storage" insert ", or any canning and preparation for canning"

On page 2, line 11 after "only," insert "If such funds are not sufficient to cover such costs, the balance of the costs shall be paid by the receiving institution, school, or organization."

Signed by Representatives Martinis, Chairman; Gilleland, Greengo, Hansey, Hurley (George), Matthews, Moreau, Schumaker, Smith (Rick).

Rereferred to Committee on Ways and Means - Appropriations.

May 5, 1975

**SENATE BILL NO. 2484**, Prime Sponsor: Senator Sandison, allowing an officer or employee to receive accrued vacation when transferring from one state agency to another. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, McKibbin, Nelson, O'Brien, Williams.

To Committee on Rules for second reading.

May 5, 1975

SENATE BILL NO. 2960, Prime Sponsor: Senator Henry, making changes in the laws relating to emergency services. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Leckenby, McKibbin, Nelson, Williams.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Thompson, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 351, by Committee on State Government (Originally sponsored by Representatives Warnke, Curtis, Zimmerman and Leckenby - by Department of Commerce and Economic Development request):

Revising the powers and duties of the department of commerce and economic development.

The bill was read the third time and placed on final passage.

Representatives Sommers, Leckenby and Pardini spoke in favor of passage of the bill, and Representatives Conner and North spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 351, and the bill passed the House by the following vote: Yeas, 65; nays, 25; not voting, 8.

Voting yea: Representatives Adams, Amen, Bauer, Bausch, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Cochrane, Curtis, Deccio, Dunlap, Fischer, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Newhouse, O'Brien, Pardini, Paris, Perry, Polk, Savage, Seeberger, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Becker, Boldt, Charette, Clemente, Conner, Douthwaite, Ehlers, Erickson, Fortson, Gaines, Gaspard, Hurlley G. S., Hurlley M., Lysen, Maxie, Moon, North, Parker, Randall, Schumaker, Sherman, Shinpoch, Smith R., Wojahn.

Not voting: Representatives Barnes, Eikenberry, Eng, Knowles, Kuehnle, Nelson, Patterson, Peterson.

Engrossed Substitute House Bill No. 351, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 483, by Committee on State Government (Originally sponsored by Representatives Shinpoch, Polk, Bagnariol and Dunlap):

Implementing further consolidation of state automated data processing facilities.

The bill was read the third time and placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 483, and the bill passed the House by the following vote: Yeas, 86; nays, 4; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurlley G. S., Hurlley M., Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Lee, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Leckenby, Matthews, Maxie, Moon.

Not voting: Representatives Barnes, Eikenberry, Eng, Hayner, Knowles, Kuehnle, Patterson, and Mr. Speaker.

Engrossed Substitute House Bill No. 483, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MESSAGE FROM THE SENATE

May 6, 1975

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 357,  
HOUSE BILL NO. 366,  
HOUSE BILL NO. 431,  
ENGROSSED HOUSE BILL NO. 573,  
ENGROSSED HOUSE BILL NO. 665,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SENATE AMENDMENTS TO HOUSE BILL

April 24, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 95 with the following amendments:

Strike everything after the enacting clause and substitute the following:

"NEW SECTION. Section 1. There is added to Title 69 RCW a new chapter to read as set forth in sections 2 through 38 of this act.

NEW SECTION. Sec. 2. Eggs and egg products are an important source of the state's total supply of food, and are used in food in various forms. They are consumed throughout the state and the major portion thereof moves in intrastate commerce. It is essential, in the public interest, that the health and welfare of consumers be protected by the adoption of measures prescribed herein for assuring that eggs and egg products distributed to them and used in products consumed by them are wholesome, otherwise not adulterated, and properly labeled and packaged. Lack of effective regulation for the handling or disposition of unwholesome, otherwise adulterated, or improperly labeled or packaged egg products and certain qualities of eggs is injurious to the public welfare and destroys markets for wholesome, unadulterated, and properly labeled and packaged eggs and egg products and results in sundry losses to producers and processors, as well as injury to consumers. Unwholesome, otherwise adulterated, or improperly labeled or packaged products can be sold at lower prices and compete unfairly with the wholesome, unadulterated, and properly labeled and packaged products, to the detriment of consumers and the public generally. It is hereby found that all egg products and the qualities of eggs which are regulated under this chapter are either in intrastate commerce, or substantially affect such commerce, and that regulation by the director, as contemplated by this chapter, is appropriate to protect the health and welfare of consumers.

NEW SECTION. Sec. 3. When used in this chapter the following terms shall have the indicated meanings, unless the context otherwise requires:

- (1) "Department" means the department of agriculture of the state of Washington.
- (2) "Director" means the director of the department or his duly authorized representative.
- (3) "Person" means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, and any member, officer, or employee thereof, or assignee for the benefit of creditors.
- (4) "Adulterated" applies to any egg or egg product under one or more of the following circumstances:
  - (a) If it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;
  - (b) If it bears or contains any added poisonous or added deleterious substance (other than one which is: (i) A pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the director, make such article unfit for human food;
  - (c) If it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of RCW 69.04.392, as enacted or hereafter amended;
  - (d) If it bears or contains any food additive which is unsafe within the meaning of RCW 69.04.394, as enacted or hereafter amended;
  - (e) If it bears or contains any color additive which is unsafe within the meaning of RCW 69.04.396, as enacted or hereafter amended: PROVIDED, That an article which is not otherwise deemed adulterated under subsection (4)(c), (d), or (e) of this section shall nevertheless be deemed adulterated if use of the



pesticide chemical, food additive, or color additive, in or on such article, is prohibited by regulations of the director in official plants;

(f) If it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for human food;

(g) If it has been prepared, packaged, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(h) If it is an egg which has been subjected to incubation or the product of any egg which has been subjected to incubation;

(i) If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

(j) If it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to RCW 69.04.394; or

(k) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(5) "Capable of use as human food" shall apply to any egg or egg product unless it is denatured, or otherwise identified, as required by regulations prescribed by the director, to deter its use as human food.

(6) "Intrastate commerce" means any eggs or egg products in intrastate commerce, whether such eggs or egg products are intended for sale, held for sale, offered for sale, sold, stored, transported, or handled in this state in any manner and prepared for eventual distribution in this state, whether at wholesale or retail.

(7) "Container" or "package" includes any box, can, tin, plastic, or other receptacle, wrapper, or cover.

(8) "Immediate container" means any consumer package, or any other container in which egg products, not consumer-packaged, are packed.

(9) "Shipping container" means any container used in packaging a product packed in an immediate container.

(10) "Egg handler" or "dealer" means any person who produces, contracts for or obtains possession or control of any eggs for the purpose of sale to another dealer or retailer, or for processing and sale to a dealer, retailer or consumer: PROVIDED, That for the purpose of this chapter, "sell" or "sale" includes the following: Offer for sale, expose for sale, have in possession for sale, exchange, barter, trade, or as an inducement for the sale of another product.

(11) "Egg product" means any dried, frozen, or liquid eggs, with or without added ingredients, excepting products which contain eggs only in a relatively small proportion, or historically have not been, in the judgment of the director, considered by consumers as products of the egg food industry, and which may be exempted by the director under such conditions as he may prescribe to assure that the egg ingredients are not adulterated and such products are not represented as egg products.

(12) "Egg" means the shell egg of the domesticated chicken, turkey, duck, goose, or guinea, or any other specie of fowl.

(13) "Check" means an egg that has a broken shell or crack in the shell but has its shell membranes intact and contents not leaking.

(14) "Clean and sound shell egg" means any egg whose shell is free of adhering dirt or foreign material and is not cracked or broken.

(15) "Dirty egg" means an egg that has a shell that is unbroken and has adhering dirt or foreign material.

(16) "Incubator reject" means an egg that has been subjected to incubation and has been removed from incubation during the hatching operations as infertile or otherwise unhatchable.

(17) "Inedible" means eggs of the following descriptions: Black rots, yellow rots, white rots, mixed rots (addled eggs), sour eggs, eggs with green whites, eggs with stuck yolks, moldy eggs, musty eggs, eggs showing blood rings, and eggs containing embryo chicks (at or beyond the blood ring stage).

(18) "Leaker" means an egg that has a crack or break in the shell and shell membranes to the extent that the egg contents are exposed or are exuding or free to exude through the shell.

(19) "Loss" means an egg that is unfit for human food because it is smashed or broken so that its contents are leaking; or overheated, frozen, or contaminated; or an incubator reject; or because it contains a bloody white, large meat spots, a large quantity of blood, or other foreign material.

(20) "Restricted egg" means any check, dirty egg, incubator reject, inedible, leaker, or loss.

(21) "Inspection" means the application of such inspection methods and techniques as are deemed necessary by the director to carry out the provisions of this chapter.

(22) "Inspector" means any employee or official of the department authorized to inspect eggs or egg products under the authority of this chapter.

(23) "Misbranded" shall apply to egg products which are not labeled and packaged in accordance with the requirements prescribed by regulations of the director under section 11 of this act.

(24) "Official certificate" means any certificate prescribed by regulations of the director for issuance by an inspector or other person performing official functions under this chapter.

(25) "Official device" means any device prescribed or authorized by the director for use in applying any official mark.

(26) "Official inspection legend" means any symbol prescribed by regulations of the director showing that egg products were inspected in accordance with this chapter.

(27) "Official mark" means the official inspection legend or any other symbol prescribed by regulations of the director to identify the status of any article under this chapter.

(28) "Official plant" means any plant which is licensed under the provisions of this chapter, at which inspection of the processing of egg products is maintained by the United States department of agriculture or by the state under cooperative agreements with the United States department of agriculture or by the state.

(29) "Official standards" means the standards of quality, grades, and weight classes for eggs, adopted under the provisions of this chapter.

(30) "Pasteurize" means the subjecting of each particle of egg products to heat or other treatments to destroy harmful, viable micro-organisms by such processes as may be prescribed by regulations of the director.

(31) "Pesticide chemical", "food additive", "color additive", and "raw agricultural commodity" shall have the same meaning for purposes of this chapter as prescribed in chapter 69.04 RCW.

(32) "Plant" means any place of business where egg products are processed.

(33) "Processing" means manufacturing egg products, including breaking eggs or filtering, mixing, blending, pasteurizing, stabilizing, cooling, freezing, drying, or packaging egg products.

(34) "Retailer" means any person in intrastate commerce who sells eggs to a consumer.

(35) "At retail" means any transaction in intrastate commerce between a retailer and a consumer.

(36) "Consumer" means any person who purchases eggs for his or her own family use or consumption; or any restaurant, hotel, boarding house, bakery, or other institution or concern which purchases eggs for serving to guests or patrons thereof, or for its own use in cooking or baking.

(37) "Candling" means the examination of the interior of eggs by the use of transmitted light used in a partially dark room or place.

**NEW SECTION.** Sec. 4. The purpose of this chapter is to promote uniformity of state legislation and regulations with the federal egg products inspection act, 21 U.S.C. sec. 1031, et seq., and regulations adopted thereunder. In accord with such declared purpose, any regulations adopted under the federal egg products inspection act relating to eggs and egg products, as defined in section 3 (11) and (12) of this act, in effect on July 1, 1975, are hereby deemed to have been adopted under the provisions hereof. Further, to promote such uniformity, any regulations adopted hereafter under the provisions of the federal egg products inspection act relating to eggs and egg products, as defined in section 3 (11) and (12) of this act, and published in the federal register, shall be deemed to have been adopted under the provisions of this chapter in accord with chapter 34.04 RCW, as now or hereafter amended. The director may, however, within thirty days of the publication of the adoption of any such regulation under the federal egg products inspection act, give public notice that a hearing will be held to determine if such regulations shall not be applicable under the provisions of this chapter. Such hearing shall be in accord with the requirements of chapter 34.04 RCW, as now or hereafter amended.

The director, in addition to the foregoing, may adopt any rule and regulation necessary to carry out the purpose and provisions of this chapter.

**NEW SECTION.** Sec. 5. The adoption, amendment, modification, or revocation of any rules or regulations under the provisions of this chapter, or the holding of a hearing in regard to a license issued or which may be issued or denied under the provisions of this chapter, shall be subject to the applicable provisions of chapter 34.04 RCW, the administrative procedure act, as now or hereafter amended.

**NEW SECTION.** Sec. 6. No person shall act as an egg handler or dealer without first obtaining an annual license and permanent dealer's number from the department; such license shall expire on the thirtieth day of June following issuance. Application for a license shall be on a form prescribed by the director and accompanied by a ten dollar annual license fee. Duplicate copies of the license may be issued upon payment of five dollars. A copy of said license shall be posted at each location where such licensee operates. Such application shall include the full name of the applicant for the license and the location of each facility he intends to operate. If such applicant is an individual, receiver, trustee, firm, partnership, association or corporation, the full name of each member of the firm or partnership or the names of the officers of the association or corporation shall be given on the application. Such application shall further state the principal business address of the applicant in the state and elsewhere and the name of a person domiciled in this state authorized to receive and accept service of summons of legal notices of all kinds for the applicant and any other necessary information prescribed by the director. Upon the approval of the application and compliance with the provisions of this chapter, including the applicable regulations adopted hereunder by the department, the applicant shall be issued a license or renewal thereof. Such license and permanent egg handler or dealer's number shall be nontransferable.

**NEW SECTION.** Sec. 7. If the application for the renewal of an egg handler's or dealer's license is not filed before July 1st of any year, an additional fee of five dollars shall be assessed and added to the original fee and shall be paid by the applicant before the renewal license shall be issued: PROVIDED, That such additional fee shall not be charged if the applicant furnishes an affidavit certifying that he has not acted as an egg handler or dealer subsequent to the expiration of his license.

**NEW SECTION.** Sec. 8. The department may deny, suspend, revoke, or issue a license or a conditional license if it determines that an applicant or licensee has committed any of the following acts:

(1) That the applicant or licensee is violating or has violated any of the provisions of this chapter or rules and regulations adopted thereunder.

(2) That the application contains any materially false or misleading statement or involves any misrepresentation by any officer, agent, or employee of the applicant.

(3) That the applicant or licensee has concealed or withheld any facts regarding any violation of this chapter by any officer, agent, or employee of the applicant or licensee.

**NEW SECTION. Sec. 9. (1)** For the purpose of preventing the entry into or movement in intrastate commerce of any egg product which is capable of use as human food and is misbranded or adulterated, the director shall, whenever processing operations are being conducted, unless under inspection by the United States department of agriculture, cause continuous inspection to be made, in accordance with the regulations promulgated under this chapter, of the processing of egg products, in each plant processing egg products for commerce, unless exempted under section 18 of this act. Without restricting the application of the preceding sentence to other kinds of establishments within its provisions, any food manufacturing establishment, institution, or restaurant which uses any eggs that do not meet the requirements of section 18(1)(a) of this act in the preparation of any articles for human food, shall be deemed to be a plant processing egg products, with respect to such operations.

(2) The director, at any time, shall cause such retention, segregation, and reinspection as he deems necessary of eggs and egg products capable of use as human food in each official plant.

(3) Eggs and egg products found to be adulterated at official plants shall be condemned, and if no appeal be taken from such determination or condemnation, such articles shall be destroyed for human food purposes under the supervision of an inspector: **PROVIDED**, That articles which may by reprocessing be made not adulterated need not be condemned and destroyed if so reprocessed under the supervision of an inspector and thereafter found to be not adulterated. If an appeal be taken from such determination, the eggs or egg products shall be appropriately marked and segregated pending completion of an appeal inspection, which appeal shall be at the cost of the appellant if the director determines that the appeal is frivolous. If the determination of condemnation is sustained, the eggs or egg products shall be destroyed for human food purposes under the supervision of an inspector.

(4) The director shall cause such other inspections to be made of the business premises, facilities, inventory, operations, and records of egg handlers, and the records and inventory of other persons required to keep records under section 15 of this act, as he deems appropriate (and in the case of shell egg packers, packing eggs for the ultimate consumer, at least once each calendar quarter) to assure that only eggs fit for human food are used for such purpose, and otherwise to assure compliance by egg handlers and other persons with the requirements of section 15 of this act, except that the director shall cause such inspections to be made as he deems appropriate to assure compliance with such requirements at food manufacturing establishments, institutions, and restaurants, other than plants processing egg products. Representatives of the director shall be afforded access to all such places of business for purposes of making the inspections provided for in this chapter.

**NEW SECTION. Sec. 10. (1)** The operator of each official plant shall operate such plant in accordance with such sanitary practices and shall have such premises, facilities, and equipment as are required by regulations promulgated by the director to effectuate the purposes of this chapter, including requirements for segregation and disposition of restricted eggs.

(2) The director shall refuse to render inspection to any plant whose premises, facilities, or equipment, or the operation thereof, fail to meet the requirements of this section.

**NEW SECTION. Sec. 11. (1)** Egg products inspected at any official plant under the authority of this chapter and found to be not adulterated shall be pasteurized before they leave the official plant, except as otherwise permitted by regulations of the director, and shall at the time they leave the official plant, bear in distinctly legible form on their shipping containers or immediate containers, or both, when required by regulations of the director, the official inspection legend and official plant number, of the plant where the products were processed, and such other information as the director may require by regulations to describe the products adequately and to assure that they will not have false or misleading labeling.

(2) No labeling or container shall be used for egg products at official plants if it is false or misleading or has not been approved as required by the regulations of the director. If the director has reason to believe that any labeling or the size or form of any container in use or proposed for use with respect to egg products at any official plant is false or misleading in any particular, he may direct that such use be withheld unless the labeling or container is modified in such manner as he may prescribe so that it will not be false or misleading. If the person using or proposing to use the labeling or container does not accept the determination of the director, such person may request a hearing, but the use of the labeling or container shall, if the director so directs, be withheld pending hearing and final determination by the director. Any such determination by the director shall be conclusive unless, within thirty days after receipt of notice of such final determination, the person adversely affected thereby appeals to the superior court in the county in which such person has its principal place of business.

**NEW SECTION. Sec. 12. (1)** No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in any business in intrastate commerce any restricted eggs, capable of use as human food, except as authorized by regulations of the director under such conditions as he may prescribe to assure that only eggs fit for human food are used for such purpose.

(2) No egg handler shall possess with intent to use, or use, any restricted eggs in the preparation of human food for intrastate commerce except that such eggs may be so possessed and used when authorized by regulations of the director under such conditions as he may prescribe to assure that only eggs fit for human food are used for such purpose.

(3) No person shall process any egg products for intrastate commerce at any plant except in compliance with the requirements of this chapter.

(4) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in intrastate commerce any egg products required to be inspected under this chapter unless they have been so inspected and are labeled and packaged in accordance with the requirements of section 11 of this act.

(5) No operator of any official plant shall allow any egg products to be moved from such plant if they are adulterated or misbranded and capable of use as human food.

(6) No person shall:

(a) Manufacture, cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the director;

(b) Forge or alter any official device, mark, or certificate;

(c) Without authorization from the director, use any official device, mark, or certificate, or simulation thereof, or detach, deface, or destroy any official device or mark; or use any labeling or container ordered to be withheld from use under section 11 of this act after final judicial affirmance of such order or expiration of the time for appeal if no appeal is taken under said section;

(d) Contrary to the regulations prescribed by the director, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

(e) Knowingly possess, without promptly notifying the director or his representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label, or any eggs or egg products bearing any counterfeit, simulated, forged, or improperly altered official mark;

(f) Knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the director;

(g) Knowingly represent that any article has been inspected or exempted, under this chapter when in fact it has not been so inspected or exempted; and

(h) Refuse access, at any reasonable time, to any representative of the director, to any plant or other place of business subject to inspection under any provisions of this chapter.

(7) No person, while an official or employee of the state or local governmental agency, or thereafter, shall use to his own advantage, or reveal other than to the authorized representatives of the United States government or the state in their official capacity, or as ordered by a court in a judicial proceeding, any information acquired under the authority of this chapter concerning any matter which the originator or relator of such information claims to be entitled to protection as a trade secret.

**NEW SECTION. Sec. 13.** The director shall, whenever he determines that it would effectuate the purposes of this chapter, cooperate with any state, federal or other governmental agencies in carrying out any provisions of this chapter. In carrying out the provisions of this chapter, the director may conduct such examinations, investigations, and inspections as he determines practicable through any officer or employee of any such agency commissioned by him for such purpose.

**NEW SECTION. Sec. 14.** Inspection shall not be provided under this chapter at any plant for the processing of any egg products which are not intended for use as human food, but such articles, prior to their offer for sale or transportation in intrastate commerce, shall be denatured or identified as prescribed by regulations of the director to deter their use for human food. No person shall buy, sell, or transport or offer to buy or sell, or offer or receive for transportation, in intrastate commerce, any restricted eggs or egg products which are not intended for use as human food unless they are denatured or identified as required by the regulations of the director.

**NEW SECTION. Sec. 15.** For the purpose of enforcing the provisions of this chapter and the regulations promulgated thereunder, all persons engaged in the business of transporting, shipping, or receiving any eggs or egg products in intrastate commerce or in interstate commerce, or holding such articles so received, and all egg handlers, shall maintain such records showing, for such time and in such form and manner, as the director may prescribe, to the extent that they are concerned therewith, the receipt, delivery, sale, movement, and disposition of all eggs and egg products handled by them, and shall, upon the request of the director, permit him at reasonable times to have access to and to copy all such records.

**NEW SECTION. Sec. 16. (1)** Any person who commits any offense prohibited by section 12 of this act shall upon conviction be guilty of a gross misdemeanor. When construing or enforcing the provisions of section 12 of this act, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association within the scope of his employment or office shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

(2) No carrier or warehouseman shall be subject to the penalties of this chapter, other than the penalties for violation of section 15 of this act, or subsection (3) of this section, by reason of his receipt, carriage, holding, or delivery, in the usual course of business, as a carrier or warehouseman of eggs or egg products owned by another person unless the carrier or warehouseman has knowledge, or is in possession of facts which would cause a reasonable person to believe that such eggs or egg products were not eligible for transportation under, or were otherwise in violation of, this chapter, or unless the carrier or warehouseman refuses to furnish on request of a representative of the director the name and address of the person from whom he received such eggs or egg products and copies of all documents, if there be any, pertaining to the delivery of the eggs or egg products to, or by, such carrier or warehouseman.

(3) Notwithstanding any other provision of law any person who forcibly assaults, resists, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of his official duties under this chapter shall be punished by a fine of not more than five thousand dollars or imprisonment in the state penitentiary for not more than three years, or both. Whoever, in the commission of any

such act, uses a deadly or dangerous weapon, shall be punished by a fine of not more than ten thousand dollars or by imprisonment in the state penitentiary for not more than ten years, or both.

**NEW SECTION.** Sec. 17. Before any violation of this chapter, other than of section 16(3) of this act, is reported by the director to any prosecuting attorney for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this chapter shall be construed as requiring the director to report for criminal prosecution violation of this chapter whenever he believes that the public interest will be adequately served and compliance with this chapter obtained by a suitable written notice of warning.

**NEW SECTION.** Sec. 18. (1) The director may, by regulation and under such conditions and procedures as he may prescribe, exempt from specific provisions of this chapter:

(a) The sale, transportation, possession, or use of eggs which contain no more restricted eggs than are allowed by the tolerance in the official state standards for consumer grades for shell eggs;

(b) The processing of egg products at any plant where the facilities and operating procedures meet such sanitary standards as may be prescribed by the director, and where the eggs received or used in the manufacture of egg products contain no more restricted eggs than are allowed by the official standards of the state consumer grades for shell eggs, and the egg products processed at such plant;

(c) The sale of eggs by shell egg packers on his own premises directly to household consumers for use by such consumer and members of his household and his nonpaying guests and employees, and the transportation, possession, and use of such eggs in accordance with this subsection.

(2) The director may modify or revoke any regulation granting exemption under this chapter whenever he deems such action appropriate to effectuate the purposes of this chapter.

**NEW SECTION.** Sec. 19. The director may limit the entry of eggs and egg products and other materials into official plants under such conditions as he may prescribe to assure that allowing the entry of such articles into such plants will be consistent with the purposes of this chapter.

**NEW SECTION.** Sec. 20. Whenever any eggs or egg products subject to this chapter are found by any authorized representative of the director upon any premises and there is reason to believe that they are or have been processed, bought, sold, possessed, used, transported, or offered or received for sale or transportation in violation of this chapter, or that they are in any other way in violation of this chapter, or whenever any restricted eggs capable of use as human food are found by such a representative in the possession of any person not authorized to acquire such eggs under the regulations of the director, such articles may be embargoed by such representative for a reasonable period but not to exceed twenty days, pending action under section 21 of this act or notification of any federal or other governmental authorities having jurisdiction over such articles, and shall not be moved by any person from the place at which they are located when so detained until released by such representative. All official marks may be required by such representative to be removed from such articles before they are released unless it appears to the satisfaction of the director that the articles are eligible to retain such marks.

**NEW SECTION.** Sec. 21. When the director has embargoed any eggs or egg products, he shall petition the superior court of the county in which the eggs or egg products are located for an order affirming such embargo. Such court shall have jurisdiction for cause shown and after a prompt hearing to any claimant of eggs or egg products, shall issue an order which directs the removal of such embargo or the destruction or correction and release of such eggs and egg products. An order for destruction or the correction and release of such eggs and egg products shall contain such provision for the payment of pertinent court costs and fees and administrative expenses as is equitable and which the court deems appropriate in the circumstances. An order for correction and release may contain such provisions for a bond as the court finds indicated in the circumstance.

**NEW SECTION.** Sec. 22. The director need not petition the superior court as provided for in section 21 of this act if the owner or claimant of such eggs or egg products agrees in writing to the disposition of such eggs or egg products as the director may order.

**NEW SECTION.** Sec. 23. Two or more petitions under section 21 of this act which pend at the same time and which present the same issue and claimant hereunder may be consolidated for simultaneous determination by one court of competent jurisdiction, upon application to any court of jurisdiction by the director or claimant.

**NEW SECTION.** Sec. 24. The claimant in any proceeding by petition under section 21 of this act shall be entitled to receive a representative sample of the article subject to such proceedings upon application to the court of competent jurisdiction made at any time after such petition and prior to the hearing thereon.

**NEW SECTION.** Sec. 25. No state court shall allow the recovery of damages for administrative action for condemnation under the provisions of this chapter, if the court finds that there was probable cause for such action.

**NEW SECTION.** Sec. 26. There is hereby levied an assessment not to exceed two and one-half mills per dozen eggs entering intrastate commerce, as prescribed by rules and regulations issued by the director. Such assessment shall be applicable to all eggs entering intrastate commerce except as provided in sections 18 and 30. Such assessment shall be paid to the director on a monthly basis on or before the tenth day following the month such eggs enter intrastate commerce. The director may require reports by egg handlers or dealers along with the payment of the assessment fee. Such reports may include any and all pertinent information necessary to carry out the purposes of this chapter. The director may, by regulations, require egg container manufacturers to report on a monthly basis all egg containers sold to any egg handler or dealer and bearing such egg handler or dealer's license number.

**NEW SECTION.** Sec. 27. Any egg handler or dealer may prepay the assessment provided for in section 26 of this act by purchasing Washington state egg seals from the director to be placed on egg containers showing that the proper assessment has been paid. Any carton manufacturer may apply to the director for a permit to place reasonable facsimiles of the Washington state egg seals to be imprinted on egg containers. The director shall, from time to time, prescribe rules and regulations governing the affixing of seals and he is authorized to cancel any such permit issued pursuant to this chapter, whenever he finds that a violation of the terms under which the permit has been granted has been violated.

**NEW SECTION.** Sec. 28. Every egg handler or dealer who pays assessments required under the provisions of this chapter on a monthly basis in lieu of seals shall be subject to audit by the director on an annual basis or more frequently if necessary. The cost to the director for performing such audit shall be chargeable to and payable by the egg handler or dealer subject to audit. Failure to pay assessments when due or refusal to pay for audit costs may be cause for a summary suspension of an egg handler's or dealer's license and a charge of one percent per month, or fraction thereof shall be added to the sum due the director, for each remittance not received by the director when due. The conditions and charges applicable to egg handlers and dealers set forth herein shall also be applicable to payments due the director for facsimiles of seals placed on egg containers.

**NEW SECTION.** Sec. 29. The proceeds from assessment fees paid to the director shall be retained for the inspection of eggs and carrying out the provisions of this chapter relating to eggs.

**NEW SECTION.** Sec. 30. The assessments provided in this chapter shall not apply to:

- (1) Sale and shipment to points outside of this state;
- (2) Sale to the United States government and its instrumentalities;
- (3) Sale to breaking plants for processing into egg products;
- (4) Sale to consumers at the place of production or processing;
- (5) Bulk sale of eggs; or
- (6) Sale between egg dealers.

**NEW SECTION.** Sec. 31. All moneys in the state egg account, created by RCW 69.24.450, at the time of the effective date of this act, shall be transferred to the director and shall be retained and expended for administering and carrying out the purposes of this chapter.

**NEW SECTION.** Sec. 32. All containers used by an egg handler or dealer to package eggs shall bear the name and address or the permanent number issued by the director to said egg handler or dealer. Such permanent number shall be displayed in a size and location prescribed by the director. It shall constitute a gross misdemeanor for any egg handler or dealer to reuse a container which bears the permanent number of another egg handler or dealer unless such number is totally obliterated prior to reuse. The director may in addition require the obliteration of any or all markings that may be on any container which will be reused for eggs by an egg handler or dealer.

**NEW SECTION.** Sec. 33. In addition to any other records required to be kept and furnished the director under the provisions of this chapter, the director may require any person who sells to any retailer, or to any restaurant, hotel, boarding house, bakery, or any institution or concern which purchases eggs for serving to guests or patrons thereof or for its use in preparation of any food product for human consumption, candled or graded eggs other than those of his own production sold and delivered on the premises where produced, to furnish that retailer or other purchaser with an invoice covering each such sale, showing the exact grade or quality, and the size or weight of the eggs sold, according to the standards prescribed by the director, together with the name and address of the person by whom the eggs were sold. The person selling and the retailer or other purchaser shall keep a copy of said invoice on file at his place of business for a period of thirty days, during which time the copy shall be available for inspection at all reasonable times by the director: PROVIDED, That no retailer or other purchaser shall be guilty of a violation of this chapter if he can establish a guarantee from the person from whom the eggs were purchased to the effect that they, at the time of purchase, conformed to the information required by the director on such invoice: PROVIDED FURTHER, That if the retailer or other purchaser having labeled any such eggs in accordance with the invoice keeps them for such a time after they are purchased as to cause them to deteriorate to a lower grade or standard, and sells them under the label of the invoice grade or standard, he shall be guilty of a violation of this chapter.

No invoice shall be required on eggs when packed for sale to the United States department of defense, or a component thereof, if labeled with grades promulgated by the United States secretary of agriculture.

**NEW SECTION.** Sec. 34. The provisions of this chapter shall not apply to the sale of eggs by any poultry producer from his own flocks directly to a household consumer exclusively for use by such consumer and members of his household and his nonpaying guests and employees, and the transportation, possession, and use of such eggs or the sale of eggs by any egg producer with an annual egg production from a flock of three thousand or less hens.

**NEW SECTION.** Sec. 35. The enactment of this chapter shall not have the effect of terminating or in any way modifying any liability, civil or criminal, which shall already be in existence on the effective date of this act.

**NEW SECTION.** Sec. 36. Any person violating any provision of this chapter or regulations for which a penalty is not specifically provided for in this chapter, shall be guilty of a misdemeanor and guilty of a gross misdemeanor for any subsequent violation: PROVIDED, That any offense committed more than five years after a previous conviction shall be considered a first offense.

**NEW SECTION.** Sec. 37. The provisions of this chapter shall be cumulative and nonexclusive and shall not affect any other remedy at law.

**NEW SECTION.** Sec. 38. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 39. This act may be known and cited as the "Washington wholesome eggs and egg products act".

**NEW SECTION.** Sec. 40. The following acts or parts of acts are each hereby repealed:

- (1) Sections 1 through 4, chapter 193, Laws of 1955 and RCW 69.24.130 through 69.24.160;
- (2) Section 5, chapter 193, Laws of 1955, section 1, chapter 54, Laws of 1961 and RCW 69.24.170;
- (3) Sections 6 through 9, chapter 193, Laws of 1955 and RCW 69.24.180 through 69.24.210;
- (4) Section 10, chapter 193, Laws of 1955, section 49, chapter 240, Laws of 1967 and RCW 69.24.220;
- (5) Sections 11 through 13, chapter 193, Laws of 1955 and RCW 69.24.230 through 69.24.250;
- (6) Section 14, chapter 193, Laws of 1955, section 50, chapter 240, Laws of 1967 and RCW 69.24.260;
- (7) Sections 15 through 31, chapter 193, Laws of 1955 and RCW 69.24.270 through 69.24.430;
- (8) Section 33, chapter 193, Laws of 1955 and RCW 69.24.450;
- (9) Section 34, chapter 193, Laws of 1955 and RCW 69.24.900;
- (10) Section 35, chapter 193, Laws of 1955 and RCW 69.24.910.

**NEW SECTION.** Sec. 41. This 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 on July 1, 1975."

In line 1 of the title, strike all after "AN ACT" down to the period on line 18 and substitute "Relating to eggs and egg production; adding a new chapter to Title 69 RCW; repealing sections 1 through 4, chapter 193, Laws of 1955 and RCW 69.24.130 through 69.24.160; repealing section 5, chapter 193, Laws of 1955, section 1, chapter 54, Laws of 1961 and RCW 69.24.170; repealing sections 6 through 9, chapter 193, Laws of 1955 and RCW 69.24.180 through 69.24.210; repealing section 10, chapter 193, Laws of 1955, section 49, chapter 240, Laws of 1967 and RCW 69.24.220; repealing sections 11 through 13, chapter 193, Laws of 1955 and RCW 69.24.230 through 69.24.250; repealing section 14, chapter 193, Laws of 1955, section 50, chapter 240, Laws of 1967 and RCW 69.24.260; repealing sections 15 through 31, chapter 193, Laws of 1955 and RCW 69.24.270 through 69.24.430; repealing section 33, chapter 193, Laws of 1955 and RCW 69.24.450; repealing section 34, chapter 193, Laws of 1955 and RCW 69.24.900; repealing section 35, chapter 193, Laws of 1955 and RCW 69.24.910; providing for assessments; prescribing penalties; declaring an emergency; and setting an effective date" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTIONS

Representative Becker moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 95, and ask the Senate to recede therefrom.

Representative Hansey moved that the House do concur in the Senate amendments.

Mr. Hansey spoke in favor of the motion, and Ms. Becker spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Hansey that the House do concur in the Senate amendments to Engrossed House Bill No. 95, and the motion was lost by the following vote: Yeas, 34; nays, 58; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Jueling, Leckenby, Lee, Matthews, Moreau, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Haley, Knowles, Kuehne, Luders, Peterson, Williams.

The Speaker (Mr. O'Brien presiding) stated that the House, by its action had refused to concur in the Senate amendments to Engrossed House Bill No. 95 and asked the Senate to recede therefrom.

#### SENATE AMENDMENTS TO HOUSE BILL

May 1, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 158 with the following amendments:

On page 1, section 1, line 9 of the engrossed and printed bill, after "district" and before "may" insert "with an enrollment of three hundred students or less"

On page 1, section 1, line 12 of the engrossed bill, being line 2 of the House amendment by Committee on Education on page 1, line 12, after "That" insert "any second or third class school district presently providing such housing may continue to provide the same: PROVIDED FURTHER, That"

On page 1, following section 2 add a new section to read as follows:

"**NEW SECTION.** Sec. 3. No school director or officer of a second or third class school district shall be beneficially interested, directly or indirectly, in any contract which may be made, by, through or under the supervision of such officer, in whole or in part or which may be made for the benefit of his office, or accept, directly or indirectly any compensation, gratuity or reward in connection with such contract by or through any other person beneficially interested therein. This section shall not apply to the letting of any contract for the driving of a school bus in a second or third class school district provided the remuneration to the driver of such school bus shall not exceed thirty-six hundred dollars in any calendar year."

Reumber the following sections.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Bauer, the House concurred in the Senate amendments to Engrossed House Bill No. 158.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY THE SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 158 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 158 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; nays, 20; not voting, 8.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Chandler, Charette, Charnley, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Smith E. P., Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Becker, Brown, Ceccarelli, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gaspard, Lysen, Maxie, Moon, North, Sherman, Shinpoch, Sommers, Wilson.

Not voting: Representatives Chatalas, Haley, Knowles, Kuehnle, Luders, Nelson, Peterson, Smith R.

Engrossed House Bill No. 158 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

May 1, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 171 with the following amendments:

On page 1, line 3 after "RCW 46.44.091" and before the period insert "; amending section 2, chapter 137, Laws of 1965 as last amended by section 3, chapter 1, Laws of 1973 1st ex. sess. and RCW 46.44.0941; amending section 1, chapter 1, Laws of 1973 1st ex. sess. and RCW 46.44.130"

On page 1, line 20 after "axle" and before "with" insert "or in the case of a vehicle employing two single axles"

On page 2, line 27 after "limitations" and before the period insert "and that such excess weights cannot be transported by rail or water for any substantial distance of the total mileage applied for"

On page 2, add the following section:

"Sec. 2. Section 2, chapter 137, Laws of 1965 as last amended by section 3, chapter 1, Laws of 1973 1st ex. sess. and RCW 46.44.0941 are each amended to read as follows:

The following fees, in addition to the regular license and tonnage fees, shall be paid for all movements under special permit made upon state highways. All funds collected shall be forwarded to the state treasury and shall be deposited in the motor vehicle fund:

All overlegal loads, except overweight, single trip .....	\$ 5.00
Continuous operation of overlegal loads having either overwidth or overheight features only for a period not to exceed thirty days .....	\$ 20.00
Continuous operations of overlegal loads having overlength only for a period not to exceed thirty days .....	\$ 10.00



Continuous operation of a vehicle having a maximum height not to exceed fourteen feet for a period of one year .....	\$150.00
Continuous operation of a combination of vehicles not to exceed ( <del>seventy-three</del> ) <u>seventy-five</u> feet overall length which may contain a permanent structure vehicle not in excess of forty-seven feet for a period of one year .....	\$ 60.00
<u>Continuous operation of a three-axle fixed load vehicle having less than 65,000 pounds gross weight for a period not to exceed thirty days .....</u>	<u>\$ 50.00</u>
<u>Continuous operation of overlength loads having nonreducible features not to exceed eighty-five feet in length, fourteen feet in width, and fourteen feet in height for a period of one year .....</u>	<u>\$150.00</u>
Continuous operation of farm implements under a permit issued as authorized by RCW 46.44.140 by:	
(1) Farmers in the course of farming activities for any three-month period .....	\$ 10.00
(2) Farmers in the course of farming activities for a period not to exceed one year .....	\$ 25.00
(3) Persons engaged in the business of the sale, repair or maintenance of such farm implements for any three-month period .....	\$ 25.00
(4) Persons engaged in the business of the sale, repair or maintenance of such farm implements for a period not to exceed one year .....	\$100.00

Overweight Fee Schedule

Weight over total registered gross weight plus additional gross weight purchased under provisions of RCW 46.44.095, 46.44.047, 46.44.037 as now or hereafter amended, or any other statute authorizing state highway commission to issue annual overweight permits.

	Fee per mile on state highways
1- 5,999 pounds .....	\$ .05
6,000-11,999 pounds .....	\$ .10
12,000-17,999 pounds .....	\$ .15
18,000-23,999 pounds .....	\$ .25
24,000-29,999 pounds .....	\$ .35
30,000-35,999 pounds .....	\$ .45
36,000-41,999 pounds .....	\$ .60
42,000-47,999 pounds .....	\$ .75
48,000-53,999 pounds .....	\$ .90
54,000-59,999 pounds .....	\$ 1.05
60,000-65,999 pounds .....	\$ 1.20
66,000-71,999 pounds .....	\$ 1.45
72,000-77,999 pounds .....	\$ 1.70
80,000 pounds or more .....	\$ 2.00

PROVIDED: (1) the minimum fee for any overweight permit shall be \$5.00. (2) when computing overweight fees which result in an amount less than even dollars the fee shall be carried to the next full dollar if fifty cents or over and shall be reduced to the next full dollar if forty-nine cents or under.

Sec. 3. Section 1, chapter 1, Laws of 1973 1st ex. sess. and RCW 46.44.130 are each amended to read as follows:

The limitations of RCW 46.44.010, 46.44.020, 46.44.030, and 46.44.040 shall not apply to the movement of farm implements of less than forty-five thousand pounds gross weight, a total length of seventy feet or less, and a total outside width of fourteen feet or less when being moved while patrolled, flagged, lighted, signed and at a time of day in accordance with rules hereby authorized to be adopted by the highway commission as authorized to be adopted by the highway commission and the statutes. Violation of a rule adopted by the highway commission as authorized by this section or a term of this section is a misdemeanor.

NEW SECTION. Sec. 4. This 1975 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 July 1, 1975."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Hansen moved that the House concur in all the Senate amendments except the amendment to page 2, line 27, and ask the Senate to recede therefrom.

Representatives Hansen and Douthwaite spoke in favor of the motion, and it was carried.

## SENATE AMENDMENTS TO HOUSE BILL

May 1, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 205 with the following amendments:

On page 11, line 7 delete "The state board of education" and insert "~~((The state board of education))~~ The Washington state legislature"

On page 11, line 15 following "28A.21.010." strike the rest of the paragraph and insert "~~((Prior to making any such changes, the state board shall hold at least one public hearing on such proposed action and shall consider any recommendations on such proposed action.))~~"

On page 11, line 19 strike "The state board" and insert "~~((The state board))~~ The Washington state legislature"

On page 107, line 33 strike all of section 156 and renumber the following section. and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Bauer, the House refused to concur in the Senate amendments to Engrossed House Bill No. 205, and asked the Senate to recede therefrom.

## MESSAGE FROM THE SENATE

May 1, 1975

Mr. Speaker:

The Senate refuses to recede from its amendment to ENGROSSED HOUSE BILL NO. 278, and once again asks the House to concur therewith, and said bill, together with the Senate amendment thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

Mr. Shinpoch moved that the House insist on its position with regard to Engrossed House Bill No. 278, and again ask the Senate to recede from its amendment.

Mr. Moon moved that the House do concur in the Senate amendment, and pass the bill as amended by the Senate.

Representatives Moon and Matthews spoke in favor of the motion to concur, and Representatives Shinpoch and Sommers spoke against it.

The motion was not carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Shinpoch that the House insist on its position and ask the Senate to recede from its amendment to Engrossed House Bill No. 278.

The motion was carried.

## SENATE AMENDMENT TO HOUSE BILL

May 2, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 102 with the following amendment:

On page 9, line 36 of both the engrossed and printed bill, after "dollars" insert ": PROVIDED, That the state director of general administration shall establish procedures to assure that purchases made by or on behalf of the various state agencies shall not be made so as to avoid the twenty-five hundred dollar bid limitation" and after "PROVIDED" insert "FURTHER" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Shinpoch, the House concurred in the Senate amendment to Engrossed House Bill No. 102.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to final passage of Engrossed House Bill No. 102 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 102 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Douthwaite, Haley, Knowles, Kuehnle, Williams.

Engrossed House Bill No. 102 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

May 2, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 310 with the following amendment:

On page 2, line 29 beginning with "Proceeds" strike the remainder of the bill and insert "Proceeds of all sales of salmon and all sales of salmon eggs by the department, to the extent these proceeds may exceed estimates in the budget as approved by the legislature, may be allocated by the office of program planning and fiscal management as unanticipated receipts under such procedures as the legislature may adopt for the allocation of such receipts."

Such allocations shall be made only for the purpose of meeting department obligations in regards to hatchery operations partially or wholly financed by sources other than state general revenues or for purposes of processing human consumable salmon for disposal as may be provided by law." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Martinis, the House refused to concur in the Senate amendment to Engrossed House Bill No. 310, and asked the Senate for a conference thereon.

## SENATE AMENDMENTS TO HOUSE BILL

May 2, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 675 with the following amendments:

Strike all material after the enacting clause and insert the following:

"Section 1. Section 1, chapter 40, Laws of 1971 ex. sess. and RCW 28B.10.180 are each amended to read as follows:

Notwithstanding the provisions of RCW 43.88.110, the four state colleges and state universities shall submit to the governor a complete financial plan for the ensuing fiscal period in such form and at such time as he may require. The financial plan shall reflect all anticipated expenditures and all resources available to each college or university, whether appropriated or not, and whether restricted or not: PROVIDED, That restricted funds shall be shown and applied only for the purposes for which received. The governor shall allot the amounts in the spending plan as proposed by the state college or university by source of funds within any program by fiscal year: PROVIDED, That the governor may alter the amounts proposed in the following cases:

(1) When necessary to reflect legislative intent as set forth in the executive budget as accepted or modified by the legislature in the senate or house journals or in any formal communication from the legislative budget committee or the standing committees on ways and means of the house and senate;

(2) When necessary to limit total state expenditures to available revenues as required by RCW 43.88.110(2); and

(3) When a state college or university proposes the expenditure of a resource not disclosed in the budget request submitted to the governor and legislature.

Sec. 2. Section 43.09.310, chapter 8, Laws of 1965 as amended by section 2, chapter 170, Laws of 1971 ex. sess. and RCW 43.09.310 are each amended to read as follows:

The state auditor, through the division of departmental audits, shall make a post-audit of every state department at such reasonable periodic intervals as he shall determine but in each case an audit shall be

conducted every two years. A report shall be made of each post-audit upon completion thereof, (~~shall be made in sextuplet~~) and one copy shall be transmitted to the governor, one to the director of the office of program planning and fiscal management, one to the attorney general, one to the state department audited, one to the legislative budget committee, one each to the standing committees on ways and means of the house and senate, one to the chief clerk of the house, one to the secretary of the senate, and at least one shall be kept on file in the office of the state auditor.

Sec. 3. Section 43.62.050, chapter 8, Laws of 1965 and RCW 43.62.050 are each amended to read as follows:

The board shall develop and maintain student enrollment forecasts of Washington schools, including both public and private, elementary schools, junior high schools, high schools, colleges and universities. The boards shall submit reports on such forecasts to the governor (~~and to~~), the legislative budget committee, and the standing committees on ways and means of the house and the senate on or before the fifteenth day of November of each even-numbered year.

Sec. 4. Section 43.79.270, chapter 8, Laws of 1965 as amended by section 2, chapter 144, Laws of 1973 and RCW 43.79.270 are each amended to read as follows:

(1) Whenever any money, from the federal government, or from other sources, is expected to be available for expenditure and which was not anticipated in the budget approved by the legislature (~~has actually been received~~) and is designated to be spent for a specific purpose, the head of any department, agency, board, or commission through which such expenditure shall be made is to submit to the governor a statement (~~which may be in the form of a request for an allotment amendment~~) setting forth the facts constituting the need for such expenditure and the estimated amount to be expended (~~PROVIDED, That no expenditure shall be made in excess of the actual amount received, and no money shall be expended for any purpose except the specific purpose for which it was received~~). A copy of any proposal submitted to the governor to expend money (~~from an appropriated fund or account in excess of appropriations provided by law~~) which is based on the receipt of unanticipated revenues shall be submitted to the legislative budget committee and (~~also~~) to the standing committees on ways and means of the house and senate (~~if the legislature is in session~~) at the same time as it is transmitted to the governor.

(2) If the governor approves such estimate in whole or in part, he shall endorse on each copy of the statement his approval, together with a statement of the amount recommended for expenditure, and transmit one copy to the legislative budget committee. The committee staff shall compile such expenditure recommendations and periodically submit them for legislative consideration and disposition as set forth in section 12 of this 1975 amendatory act. The committee staff shall also prepare and submit appropriate recommendations as to legislative disposition on each proposal for additional spending recommended by the governor pursuant to this section. The committee shall advise the office of program planning and fiscal management, the affected state agency, and the standing committees on ways and means of the house and senate of all actions on spending proposals recommended by the governor under the terms of this section.

NEW SECTION. Sec. 5. There is added to chapter 43.88 RCW a new section to read as follows:

(1) Federal funds available during a fiscal period which were not anticipated relative to appropriations enacted for that fiscal period shall be used in lieu of funds appropriated from state or local revenue sources wherever possible unless prohibited by federal law, rule, regulation, or other restriction. Exceptions to the fund substitution requirements imposed by this subsection may be granted by a favorable majority vote of the standing committees on ways and means of the house and senate while the legislature is in session or has not been in recess for three days or more. At other times, exceptions may be granted by action of the legislative budget committee.

(2) Unanticipated receipts other than those covered by subsection (1) of this section, available during a fiscal period which were not anticipated relative to appropriations enacted for that fiscal period may also be substituted for appropriated funds by direction of either the legislative budget committee or the standing committees on ways and means of the house and senate in the same manner as federal fund substitutions are handled under subsection (1) of this section.

Sec. 6. Section 43.88.090, chapter 8, Laws of 1965 as amended by section 6, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.090 are each amended to read as follows:

For purposes of developing his budget proposals to the legislature, the governor shall have the power, and it shall be his duty, to require from proper agency officials such detailed estimates and other information in such form and at such times as he shall direct. The estimates for the legislature and the judiciary shall be transmitted to the governor and shall be included in the budget. Estimates for the legislature and for the supreme court shall be included in the budget without revision. Copies of all such estimates shall be transmitted to the (~~legislative budget committee~~) standing committees on ways and means of the house and senate at the same time as they are filed with the governor and the office of program planning and fiscal management. In the year of the gubernatorial election, the governor shall invite the governor-elect or his designee to attend all hearings provided in RCW 43.88.100; and the governor shall furnish the governor-elect or his designee with such information as will enable him to gain an understanding of the state's budget requirements. The governor-elect or his designee may ask such questions during the hearings and require such information as he deems necessary and may make recommendations in connection with any item of the budget which, with the governor-elect's reasons therefor, shall be presented to the legislature in writing with the budget document. Copies of all such estimates and other required information shall also be submitted to the (~~legislative budget committee~~). The governor shall also invite the legislative budget committee to designate one or more persons to be present at all hearings provided in RCW 43.88.100. The designees of the legislative budget committee may also ask such questions during the hearings and require

such information as they deem necessary)) standing committees on ways and means of the house and senate.

Sec. 7. Section 1, chapter 263, Laws of 1971 ex. sess. and RCW 43.88.115 are each amended to read as follows:

Either the legislative budget committee ((is) or the standing committees on ways and means of the house and senate are authorized and may order reductions in general fund expenditures for other elected public officials and all public educational agencies and their facilities except institutions of higher learning up to the amount of reductions which are required by agencies under the control of the governor, to the end that while the independence of such elective offices and educational agencies except institutions of higher learning be assured, necessary measures of economy shall be shared by all agencies concerned with the functions of government.

Sec. 8. Section 43.88.160, chapter 8, Laws of 1965 as last amended by section 11, chapter 40, Laws of 1975 and RCW 43.88.160 are each amended to read as follows:

This section sets forth the major fiscal duties and responsibilities of officers and agencies of the executive branch. The regulations issued by the governor pursuant to this chapter shall provide for a comprehensive, orderly basis for fiscal management and control, including efficient accounting and reporting therefor, for the executive branch of the state government and may include, in addition, such requirements as will generally promote more efficient public management in the state.

(1) Governor; director of program planning and fiscal management. The governor, through his director of program planning and fiscal management, shall devise and supervise a modern and complete accounting system for each agency to the end that all revenues, expenditures, receipts, disbursements, resources and obligations of the state shall be properly and systematically accounted for. The accounting system shall include the development of accurate, timely records and reports of all financial affairs of the state. The system shall also provide for comprehensive central accounts in the office of program planning and fiscal management. The director of program planning and fiscal management may require such financial, statistical and other reports as he deems necessary from all agencies covering any period.

In addition, the director of program planning and fiscal management, as agent of the governor, shall:

(a) Make surveys and analyses of agencies with the object of determining better methods and increased effectiveness in the use of manpower and materials; and he shall authorize expenditures for employee training to the end that the state may benefit from training facilities made available to state employees;

(b) Report to the governor with regard to duplication of effort or lack of coordination among agencies;

(c) Review any pay and classification plans, and changes thereunder, developed by any agency for their fiscal impact: PROVIDED, That none of the provisions of this subsection shall affect merit systems of personnel management now existing or hereafter established by statute relating to the fixing of qualifications requirements for recruitment, appointment, or promotion of employees of any agency. He shall advise and confer with agencies including ((the legislative budget committee and the legislative council)) appropriate standing committees of the legislature as may be designated by the speaker of the house and the president of the senate regarding the fiscal impact of such plans and may amend or alter said plans, except that for the following agencies no amendment or alteration of said plans may be made without the approval of the agency concerned: Agencies headed by elective officials University of Washington; Washington State University; Central Washington State College; Eastern Washington State College; Western Washington State College; The Evergreen State College; new, four-year state colleges subsequently authorized; professional education employees of the state board for community college education; and the various state community colleges.

(d) Fix the number and classes of positions or authorized man years of employment for each agency and during the fiscal period amend the determinations previously fixed by him except that he shall not be empowered to fix said number or said classes for the following: Agencies headed by elective officials; University of Washington; Washington State University; Central Washington State College; Eastern Washington State College; Western Washington State College; The Evergreen State College; new, four-year state colleges subsequently authorized; professional education employees of the state board for community college education; and the various state community colleges;

(e) Promulgate regulations to effectuate provisions contained in subsections (a) through (d) hereof.

(2) The treasurer shall:

(a) Receive, keep and disburse all public funds of the state not expressly required by law to be received, kept and disbursed by some other persons: PROVIDED, That this subsection shall not apply to those public funds of the institutions of higher learning which are not subject to appropriation;

(b) Disburse public funds under his supervision or custody by warrant or check;

(c) Keep a correct and current account of all moneys received and disbursed by him, classified by fund or account;

(d) Perform such other duties as may be required by law or by regulations issued pursuant to this law.

It shall be unlawful for the treasurer to issue any warrant or check for public funds in the treasury except upon forms duly prescribed by the director of program planning and fiscal management. Said forms shall provide for authentication and certification by the agency head or his designee that the services have been rendered or the materials have been furnished; or, in the case of payments for periodic maintenance services to be performed on state-owned equipment, that a written contract for such periodic maintenance services is currently in effect and copies thereof are on file with the office of program planning and fiscal

management (~~and the legislative budget committee~~); and the treasurer shall not be liable under his surety bond for erroneous or improper payments so made: PROVIDED, That when services are lawfully paid for in advance of full performance by any private individual or business entity other than as provided for by RCW 42.24.035, such individual or entity other than central stores rendering such services shall make a cash deposit or furnish surety bond coverage to the state as shall be fixed in an amount by law, or if not fixed by law, then in such amounts as shall be fixed by the director of the department of general administration but in no case shall such required cash deposit or surety bond be less than an amount which will fully indemnify the state against any and all losses on account of breach of promise to fully perform such services: AND PROVIDED FURTHER, That no payments shall be made in advance for any equipment maintenance services to be performed more than three months after such payment. Any such bond so furnished shall be conditioned that the person, firm or corporation receiving the advance payment will apply it toward performance of the contract. The responsibility for recovery of erroneous or improper payments made under this section shall lie with the agency head or his designee in accordance with regulations issued pursuant to this chapter.

~~((The auditor's current post audit of each agency may include a separate section setting forth recommendations to the legislature as provided by subsection (3)(c) of this section:))~~

(3) The state auditor shall:

(a) Report to the legislature the results of current post audits that have been made of the financial transactions of each agency; to this end he may, in his discretion, examine the books and accounts of any agency, official or employee charged with the receipt, custody or safekeeping of public funds. The current post audit of each agency may include a section on recommendations to the legislature as provided in subsection (3)(c) of this section.

(b) Give information to the legislature, whenever required, upon any subject relating to the financial affairs of the state.

(c) Make his official report on or before the thirty-first of December which precedes the meeting of the legislature. The report shall be for the last complete fiscal period and shall include at least the following:

Determinations as to whether agencies, in making expenditures, complied with the laws of this state: PROVIDED, That nothing in \*this act shall be construed to grant the state auditor the right to perform performance audits. A performance audit for the purpose of \*this act shall be the examination of the effectiveness of the administration, its efficiency and its adequacy in terms of the programs of departments or agencies as previously approved by the legislature. The authority and responsibility to conduct such an examination shall be vested in the legislative budget committee as prescribed in RCW 44.28.085 as now or hereafter amended.

(d) Be empowered to take exception to specific expenditures that have been incurred by any agency or to take exception to other practices related in any way to the agency's financial transactions and to cause such exceptions to be made a matter of public record, including disclosure to the agency concerned and to the director of program planning and fiscal management. It shall be the duty of the director of program planning and fiscal management to cause corrective action to be taken promptly, such action to include, as appropriate, the withholding of funds as provided in RCW 43.88.110.

(e) Shall promptly report any irregularities to the attorney general.

(4) The legislative budget committee may:

(a) Make post audits ~~((of such))~~ of the financial transactions ~~((as it may determine))~~ of any agency and management surveys and program reviews as provided for in RCW 44.28.085 ~~((and))~~ as now or hereafter amended. To this end the committee may in its discretion examine the books ~~((and))~~, accounts, and other records of any agency, official, or employee ~~((charged with the receipt, custody, or safekeeping of public funds)).~~

(b) Give information to the legislature or any legislative committee whenever required upon any subject relating to the ~~((financial affairs of the))~~ performance and management of state agencies.

(c) Make ~~((its official))~~ a report ~~((on or before the thirty-first of December which precedes the meeting of))~~ to the legislature ~~((The report))~~ which shall ~~((be for the last complete fiscal period and shall))~~ include at least the following:

(i) Determinations as to the extent to which agencies in making expenditures have complied with the will of the legislature and in this connection, may take exception to specific expenditures or financial practices of any agencies; and

(ii) Such plans as it deems expedient for the support of the state's credit, for lessening expenditures, for promoting frugality and economy in agency affairs and generally for an improved level of fiscal management ~~((and~~

~~((and~~ (iii) A report on the efficiency and accuracy of the post audit operations of the state government)).

Sec. 9. Section 1, chapter 248, Laws of 1969 ex. sess. and RCW 43.88.195 are each amended to read as follows:

After August 11, 1969, no state agency, state institution, state institution of higher education, which shall include all state universities, state colleges, and community colleges, shall establish any new accounts or funds which are to be located outside of the state treasury: PROVIDED, That the ~~((state budget director))~~ office of program planning and fiscal management shall be authorized to grant permission for the establishment of such an account or fund outside of the state treasury only when the requesting agency presents compelling reasons of economy and efficiency which could not be achieved by placing such funds in the state treasury. When the ~~((state budget director))~~ director of the office of program planning and fiscal management authorizes the creation of such fund or account, he shall forthwith give written notice of the

fact to the ~~((legislative budget committee))~~ standing committees on ways and means of the house and senate.

Sec. 10. Section 4, chapter 41, Laws of 1967 ex. sess. as amended by section 3, chapter 17, Laws of 1973 2nd ex. sess. and RCW 43.88.205 are each amended to read as follows:

(1) Whenever an agency makes application, enters into a contract or agreement, or submits state plans for participation in, and for grants of federal funds under any federal law, the agency making such application shall at the time of such action, give notice in such form and manner as the director of program planning and fiscal management ~~((or any successor agency or committee of the legislature))~~ may prescribe, or the chairman of the legislative budget committee, standing committees on ways and means of the house and senate, the chief clerk of the house, or the secretary of the senate may request.

(2) Whenever any such application, contract, agreement, or state plan is amended, such agency shall notify each such officer of such action in the same manner as prescribed or requested pursuant to subsection (1) of this section.

(3) Such agency shall promptly furnish such progress reports in relation to each such application, contract, agreement, or state plan as may be requested following the date of the filing of the application, contract, agreement, or state plan; and shall also file with each such officer a final report as to the final disposition of each such application, contract, agreement, or state plan if such is requested.

Sec. 11. Section 43.88.230, chapter 8, Laws of 1965 and RCW 43.88.230 are each amended to read as follows:

For the purposes of this chapter, ~~((the legislative council,))~~ the statute law committee, the legislative budget committee, and all legislative ((interim)) standing committees of both houses shall be deemed a part of the legislative branch of state government.

**NEW SECTION.** Sec. 12. There is added to chapter 44.04 RCW a new section to read as follows:

(1) The legislative budget committee is authorized and directed to approve, modify and approve, defer or reject by a majority vote any spending recommendations from unanticipated receipts submitted by the governor during any period during which the legislature is not in session or has been in recess for three days or more.

(2) During any period when the legislature is in session or has not been in recess three days or longer, the house and senate standing committees on ways and means are authorized to jointly or separately approve, modify and approve, defer, or reject by a majority vote of each, any spending recommendations from unanticipated receipts which the governor may recommend.

Sec. 13. Section 2, chapter 43, Laws of 1951 and RCW 44.28.060 are each amended to read as follows:

The committee shall have the power and duty to appoint its own chairman, vice chairman, and other officers; to make rules and regulations for orderly procedure; to perform, either through the legislative budget committee ~~((or through the legislative council))~~ or through subcommittees of the legislative budget committee, all duties and functions relating to ~~((the study of expenditures by the))~~ improving the economy, efficiency, and effectiveness of state agency management by performance audits and other staff studies of state government, its officers, boards, committees, commissions, institutions, and other state agencies.

Sec. 14. Section 4, chapter 43, Laws of 1951 as amended by section 10, chapter 206, Laws of 1955 and RCW 44.28.080 are each amended to read as follows:

The committee shall have the following powers:

(1) To make ~~((current))~~ examinations and reports ((concerning the current condition of all state funds, appropriations and other state moneys;)) concerning whether or not ~~((such))~~ appropriations are being ((currently)) expended for the purposes and within the statutory restrictions provided by the legislature; concerning the ~~((current availability))~~ economic outlook and estimates of revenue to meet expenditures ((under appropriations;)); and concerning the organization and operation of procedures necessary or desirable to ~~((control the expenditures and other fiscal operations of the))~~ promote economy, efficiency, and effectiveness in state government, its officers, boards, committees, commissions, institutions and other state agencies, and to make recommendations and reports to the legislature.

(2) To make such other studies and examinations of ~~((the expenses of the))~~ economy, efficiency, and effectiveness of state government and its state agencies as it may find advisable, and to hear complaints, hold hearings, gather information and make findings of fact with respect thereto.

(3) The committee shall have the power to receive messages and reports in person or in writing from the governor or any other state officials and to study generally any and all business relating to economy, efficiency, and effectiveness in state government and state agencies.

Sec. 15. Section 3, chapter 170, Laws of 1971 ex. sess. and RCW 44.28.085 are each amended to read as follows:

The legislative budget committee ~~((may))~~ shall make management surveys and program reviews as to every public body, officer or employee subject to the provisions of RCW 43.09.290 through 43.09.340. The legislative budget committee may also make management surveys and program reviews of local school districts, intermediate school districts, and other units of local government receiving state funds as grants-in-aid or as shared revenues. Management surveys for the purposes of this section shall be an independent examination for the purpose of providing the legislature with an evaluation and report of the manner in which any public agency, officer, administrator, or employee ((of a state agency subject to RCW 43.09.290 through 43.09.340)) has discharged ((his)) the ((responsibilities)) responsibility to faithfully, efficiently, and effectively administer any legislative purpose of the state. Program reviews for the purpose of this section shall be an examination of ((agency)) state or local government programs to ascertain whether or not such programs continue to serve their intended purposes, are conducted in an efficient and effective manner, or

require modification or elimination: PROVIDED, That nothing in this section shall limit the power or duty of the state auditor to report to the legislature as directed by subsection (3) of RCW 43.88.160 as ~~((amended by this 1971 amendatory act))~~ now or hereafter amended. The authority in this section conferred excludes a like authority in the state auditor.

The legislative budget committee shall receive a copy of each report of examination issued by the state auditor under RCW 43.09.310, shall review all such reports, and shall make such recommendations to the legislature and to the state auditor as it deems appropriate.

Sec. 16. Section 6, chapter 43, Laws of 1951 and RCW 44.28.100 are each amended to read as follows:

The committee shall have the power to make reports from time to time to the members of the legislature ~~((to the legislative council;))~~ and to the public with respect to any of its findings or recommendations. The committee shall keep complete minutes of its meetings. The committee shall make and distribute its final report to the members of the ensuing legislature at least ten days prior to the convening of the legislature.

Sec. 17. Section 11, chapter 43, Laws of 1951 as amended by section 9, chapter 206, Laws of 1955 and RCW 44.28.140 are each amended to read as follows:

The committee is hereby authorized and empowered to appoint an officer to be known as the legislative auditor, and to fix his compensation, who shall be the executive officer of the committee and assist in its duties and shall compile information for the committee. The committee is hereby authorized and empowered to select and employ other clerical, legal, accounting, research and other personnel that it may deem desirable in the performance of its duties, and the compensation and salaries shall be fixed by the legislative budget committee.

The duties of the legislative auditor shall be as follows:

(1) To ascertain the facts and make recommendations to the committee and under their direction to the committees of the state legislature concerning

(a) ~~((state budget;~~

~~(b)))~~ revenues and expenditures of the state; and

~~((c)))~~ the organization and functions of the state, its departments, subdivisions and agencies.

(2) To assist the ~~((appropriations))~~ several standing committees of the house and senate ~~((respectively;))~~ in consideration of ~~((the budget and all bills carrying express or implied appropriations and all))~~ legislation affecting state departments and their efficiency; to appear before ~~((any))~~ other legislative committees and to assist any other legislative committee(s) upon instruction by the legislative budget committee.

(3) To provide the legislature with information obtained under the direction of the legislative budget committee.

(4) To maintain a record of all work performed by the legislative auditor under the direction of the legislative budget committee and to keep and make available all documents, data and reports submitted to him by any legislative committee.

Sec. 18. Section 7, chapter 43, Laws of 1951 and RCW 44.28.150 are each amended to read as follows:

The committee shall cooperate, act and function with ~~((the legislative council))~~ legislative committees and with the councils or committees of other states similar to this committee and with other interstate research organizations.

Sec. 19. Section 2, chapter 195, Laws of 1971 ex. sess. and RCW 44.40.025 are each amended to read as follows:

In addition to the powers and duties authorized in RCW 44.40.020 the committee, the standing committees on ways and means and on transportation and utilities of the house and senate shall, in coordination with the legislative budget committee, ascertain, study, and/or analyze all available facts and matters relating or pertaining to sources of revenue, appropriations, expenditures, and financial condition of the motor vehicle fund and accounts thereof, the highway safety fund, and all other funds related to transportation programs of the state.

Sec. 20. Section 4, chapter 25, Laws of 1965 as last amended by section 2, chapter 91, Laws of 1971 ex. sess. and RCW 46.68.041 are each amended to read as follows:

(1) The department shall forward all funds accruing under the provisions of chapter 46.20 RCW together with a proper identifying, detailed report to the state treasurer who shall deposit such moneys to the credit of the highway safety fund except as otherwise provided in this section.

(2) One dollar of each fee collected for a temporary instruction permit shall be deposited in the driver education account in the general fund.

(3) Out of each fee of five dollars collected for a driver's license, the sum of three dollars and ten cents shall be deposited in the highway safety fund, and one dollar and ninety cents shall be deposited in the general fund ~~((PROVIDED, That the legislative budget committee and the legislative transportation committee are directed to jointly review methods for providing adequate financing of the state patrol and report their conclusions to the next session of the legislature commencing after January 1, 1972)).~~

NEW SECTION. Sec. 21. The following acts or parts of acts are each hereby repealed:

(1) Section 43.79.280, chapter 8, Laws of 1965, section 3, chapter 144, Laws of 1973 and RCW 43.79.280;

(2) Section 5, chapter 43, Laws of 1951 and RCW 44.28.090; and

(3) Section 2, chapter 148, Laws of 1959 and RCW 44.28.160.



**NEW SECTION.** Sec. 22. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 23. This 1975 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 on July 1, 1975."

Beginning in line 1 of the title with "amending" strike all material down to and including the period in line 7 and insert the following:

"amending section 1, chapter 40, Laws of 1971 ex. sess. and RCW 28B.10.180; amending section 43.09.310, chapter 8, Laws of 1965 as amended by section 2, chapter 170, Laws of 1971 ex. sess. and RCW 43.09.310; amending section 43.62.050, chapter 8, Laws of 1965 and RCW 43.62.050; amending section 43.79.270, chapter 8, Laws of 1965 as amended by section 2, chapter 144, Laws of 1973 and RCW 43.79.270; amending section 43.88.090, chapter 8, Laws of 1965 as amended by section 6, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.090; amending section 1, chapter 263, Laws of 1971 ex. sess. and RCW 43.88.115; amending section 43.88.160, chapter 8, Laws of 1965 as last amended by section 11, chapter 40, Laws of 1975 and RCW 43.88.160; amending section 1, chapter 248, Laws of 1969 ex. sess. and RCW 43.88.195; amending section 4, chapter 41, Laws of 1967 ex. sess. as amended by section 3, chapter 17, Laws of 1973 2nd ex. sess. and RCW 43.88.205; amending section 43.88.230, chapter 8, Laws of 1965 and RCW 43.88.230; amending section 2, chapter 43, Laws of 1951 and RCW 44.28.060; amending section 4, chapter 43, Laws of 1951 as amended by section 10, chapter 206, Laws of 1955 and RCW 44.28.080; amending section 3, chapter 170, Laws of 1971 ex. sess. and RCW 44.28.085; amending section 6, chapter 43, Laws of 1951 and RCW 44.28.100; amending section 11, chapter 43, Laws of 1951 as amended by section 9, chapter 206, Laws of 1955 and RCW 44.28.140; amending section 7, chapter 43, Laws of 1951 and RCW 44.28.150; amending section 2, chapter 195, Laws of 1971 ex. sess. and RCW 44.40.025; amending section 4, chapter 25, Laws of 1965 as last amended by section 2, chapter 91, Laws of 1971 ex. sess. and RCW 46.68.041; adding a new section to chapter 43.88 RCW; adding a new section to chapter 44.04 RCW; repealing section 43.79.280, chapter 8, Laws of 1965, section 3, chapter 144, Laws of 1973 and RCW 43.79.280; repealing section 5, chapter 43, Laws of 1951 and RCW 44.28.090; repealing section 2, chapter 148, Laws of 1959 and RCW 44.28.160; declaring an emergency; and providing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Shipoch, the House refused to concur in the Senate amendments to Engrossed House Bill No. 675, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

May 5, 1975

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 1078** with the following amendments:

Strike everything after the enacting clause and substitute the following:

"Section 1. Section 1, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.010 are each amended to read as follows:

(1) The legislature hereby finds and declares that the forest land resources are among the most valuable of all resources in the state; that a viable forest products industry is of prime importance to the state's economy; that it is in the public interest for public and private commercial forest lands to be managed consistent with sound policies of natural resource protection; that coincident with maintenance of a viable forest products industry, it is important to afford protection to forest soils, fisheries, wildlife, water quantity and quality, and air quality(~~recreation~~); Benefiting the above activities and resources will generally enhance recreational opportunities and scenic beauty.

(2) The legislature further finds and declares it to be in the public interest of this state to create and maintain through the adoption of this chapter a comprehensive state-wide system of laws and forest practices regulations which to the extent feasible will achieve the following purposes and policies:

(a) Afford protection to, promote, foster and encourage timber growth, and require such minimum reforestation of commercial tree species on forest lands as will reasonably utilize the timber growing capacity of the soil following current timber harvest;

(b) Afford protection to forest soils and public resources by utilizing all reasonable methods of technology in conducting forest practices;

(c) Recognize both the public and private interest in the profitable growing and harvesting of timber;

(d) Promote efficiency by permitting maximum operating freedom consistent with the other purposes and policies stated herein;

(e) Provide for regulation of forest practices so as to avoid unnecessary duplication in such regulation;

(f) Provide for interagency input and intergovernmental coordination and cooperation;

(g) Achieve compliance with all applicable requirements of federal and state law with respect to non-point sources of water pollution from forest practices; and

(h) To consider reasonable land use planning goals and concepts contained in local comprehensive plans and zoning regulations.

Sec. 2. Section 2, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.020 are each amended to read as follows:

For purposes of this chapter:

(1) "Appeals board" shall mean the forest practices appeals board created by RCW 76.09.210.

(2) "Commissioner" shall mean the commissioner of public lands.

~~(3) ("Contiguous" shall mean land adjoining or touching by common corner or otherwise. Land having common ownership divided by a road or other right of way shall be considered contiguous.~~

~~(4)) "Conversion to a use other than commercial timber operation" shall mean a bona fide conversion to an active use which is incompatible with timber growing and as may be defined by forest practices regulations.~~

~~((5)) (4) "Department" shall mean the department of natural resources.~~

~~((6)) (5) "Forest land" shall mean all land which is capable of supporting a merchantable stand of timber and is not being actively used for a use which is incompatible with timber growing.~~

~~((7)) (6) "Forest land owner" shall mean any person in actual control of forest land, whether such control is based either on legal or equitable title, or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner: PROVIDED, That any lessee or other person in possession of forest land without legal or equitable title to such land shall be excluded from the definition of "forest land owner" unless such lessee or other person has the right to sell or otherwise dispose of any or all of the timber located on such forest land.~~

~~((8)) (7) "Forest practice" shall mean any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to:~~

- ~~(a) Road and trail construction;~~
- ~~(b) Harvesting, final and intermediate;~~
- ~~(c) Precommercial thinning;~~
- ~~(d) Reforestation;~~
- ~~(e) Fertilization;~~
- ~~(f) Prevention and suppression of diseases and insects;~~
- ~~(g) Salvage of trees; and~~
- ~~(h) Brush control.~~

"Forest practice" shall not include preparatory work such as tree marking, surveying and road flagging, and removal or harvesting of incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber, or public resources.

~~((9)) (8) "Forest practices regulations" shall mean any rules promulgated pursuant to RCW 76.09.040.~~

~~((10)) (9) "Application" shall mean the application required pursuant to RCW 76.09.050.~~

~~((11)) (10) "Operator" shall mean any person (engaging in forest practices except an employee with wages as his sole compensation) having the prime responsibility to accomplish the forest practices to be performed, either directly or indirectly, through employees, agents, or subcontractors. The operator may be the forest land owner or the timber owner if the timber owner retains this responsibility.~~

~~((12)) (11) "Person" shall mean any individual, partnership, private, public, or municipal corporation, county, the department or other state or local governmental entity, or association of individuals of whatever nature.~~

~~((13)) (12) "Public resources" shall mean water, fish and wildlife, and in addition shall mean capital improvements of the state or its political subdivisions.~~

~~((14)) (13) "Timber" shall mean forest trees, standing or down, of a commercial species, including Christmas trees.~~

~~((15)) (14) "Timber owner" shall mean any person having all or any part of the legal interest in timber. Where such timber is subject to a contract of sale, "timber owner" shall mean the contract purchaser.~~

~~((16)) (15) "Board" shall mean the forest practices board (created in RCW 76.09.030) and, after the dissolution of the forest practices board as provided in section 20 of this 1975 amendatory act "board" shall mean the board of natural resources as provided in RCW 43.30.040.~~

Sec. 3. Section 4, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.040 are each amended to read as follows:

(1) Where necessary to accomplish the purposes and policies stated in RCW 76.09.010, and to implement the provisions of this chapter, the board shall promulgate forest practices regulations establishing minimum standards for forest practices and setting forth necessary administrative provisions, pursuant to chapter 34.04 RCW and in accordance with the procedures enumerated in this section and RCW 76.09.200. ~~((Forest practices regulations pertaining to water quality protection shall be promulgated individually by the board and by the department of ecology after they have reached agreement with respect thereto.))~~ All ~~(other)~~ forest practices regulations shall be promulgated by the board.

Forest practices regulations shall be administered and enforced by the department except as otherwise provided in this chapter. Such regulations shall be promulgated and administered so as to give consideration to all purposes and policies set forth in RCW 76.09.010.

(2) The board, assisted by the department, shall prepare proposed forest practices regulations. ~~((In addition to any forest practices regulations relating to water quality protection proposed by the board, the~~

~~department of ecology shall prepare proposed forest practices regulations relating to water quality protection:))~~

Prior to initiating the rule making process, the proposed regulations shall be submitted for review and comments to the department of fisheries, the department of game, ~~the department of ecology~~, and to the counties of the state. After receipt of the proposed forest practices regulations, the departments of fisheries ~~(and)~~, game, ecology, and the counties of the state shall have thirty days in which to review and submit comments to the board ~~((and to the department of ecology with respect to its proposed regulations relating to water quality protection))~~. After the expiration of such thirty day period the board ~~((and))~~ through the department ~~((of ecology))~~ shall ~~((jointly))~~ hold one or more hearings on the proposed regulations pursuant to chapter 34.04 RCW. At such hearing(s) any county may propose specific forest practices regulations relating to problems existing within such county. The board ~~((and the department of ecology))~~ may adopt such proposals if they find the proposals are consistent with the purposes and policies of this chapter.

Sec. 4. Section 5, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.050 are each amended to read as follows:

(1) The board shall establish by rule which forest practices shall be included within each of the following classes:

Class I: Minimal or specific forest practices that have no direct potential for damaging a public resource that may be conducted without submitting an application ~~((PROVIDED, That no forest practice shall be within Class I if it has a direct potential for damaging a public resource))~~.

Class II: Forest practices ~~((for))~~ which ~~((the application must be approved or disapproved by the department within fourteen calendar days from the date the department receives the application))~~ may have a moderate potential for damaging a public resource that may be conducted after notification by the operator to the department in writing in the manner, content, and form as prescribed by the department before commencing operations without submitting an application: PROVIDED, That such classification shall not include forest practices on lands platted after January 1, 1960, or being converted to another use; or include those forest practices which would require approvals under the provisions of RCW 75.20.100.

Class III: Forest practices ~~((for which the))~~ other than those contained in Class I, II, or IV. Such application must be approved or disapproved by the department within ~~((thirty))~~ fourteen calendar days from the date the department receives the application.

Class IV: Forest practices other than those contained in Class I or II on lands platted after January 1, 1960, or being converted to another use. Such application must be approved or disapproved by the department within thirty calendar days from the date the department receives the application.

(2) No Class II ~~((or))~~, Class III, or Class IV forest practice shall be commenced or continued after January 1, 1975 unless the department has received a notification with regard to a Class II forest practice or approved an application containing all information required by RCW 76.09.060 as now or hereafter amended: PROVIDED, That any person commencing a forest practice during 1974 may continue such forest practice until April 1, 1975, if such person has submitted an application to the department prior to January 1, 1975: PROVIDED, FURTHER, That in the event forest practices regulations necessary for the scheduled implementation of this chapter and RCW 90.48.420 have not been adopted in time to meet such schedules, the department shall have the authority to approve applications on such terms and conditions consistent with this chapter and RCW 90.48.420 and the purposes and policies of RCW 76.09.010 as now or hereafter amended until applicable forest practices regulations are in effect.

(3) Forest practices shall be conducted in accordance with the forest practices regulations and orders and directives of the department as authorized by this chapter, the forest practices regulations, and the terms and conditions of any approved applications.

(4) The department of natural resources shall notify the applicant in writing of either its approval of the application or its disapproval of the application and the specific manner in which the application fails to comply with the provisions of this section or with the forest practices regulations. If the department fails to either approve or disapprove an application or any portion thereof within the applicable time limit, then, on petition of the applicant the chairman of the appeals board shall issue an order directing the department to approve or disapprove the application within five days or issue a temporary approval until the application is either finally approved or disapproved: PROVIDED, That the temporary approval shall be issued only if it meets the conditions set by the board for such temporary approvals: PROVIDED, FURTHER, That the department shall have until April 1, 1975 to approve or disapprove an application involving forest practices allowed to continue to April 1, 1975 under the provisions of subsection (2) of this section. Upon receipt of any satisfactorily completed application the department shall in any event no later than two business days after such receipt transmit a copy to the departments of ecology, game, and fisheries, and to the county in which the forest practice is to be commenced. Any comments by such agencies shall be directed to the department of natural resources.

~~((4))~~ (5) If the county believes that an application is inconsistent with this chapter, the forest practices regulations, or any local authority consistent with RCW 76.09.240 as now or hereafter amended, it may so notify the department and the applicant, specifying its objections.

~~((5))~~ (6) The department shall not approve portions of applications to which a county objects if:

(a) The department receives written notice from the county of such objections within ~~((seven business days for a Class II or))~~ fourteen business days for a Class ~~((II))~~ IV application from the time of its transmittal to the county, or one day before the department acts on the application, whichever is later; and

(b) The objections relate to lands either:

(i) Platted after January 1, 1960; or

(ii) Being converted to another use.

The department shall either disapprove those portions of such application or appeal the county objections to the appeals board. If the objections related to subparagraph (b)(i) and (ii) of this subsection are based on local authority consistent with RCW 76.09.240 as now or hereafter amended, the department shall disapprove the application until such time as the county consents to its approval or such disapproval is reversed on appeal. The applicant shall be a party to all department appeals of county objections. Unless the county either consents or has waived its rights under this subsection, the department shall not approve portions of an application affecting such lands until the minimum time for county objections has expired.

((6)) (7) In addition to any rights under the above paragraph, the county may appeal any department approval of an application with respect to any lands within its jurisdiction. The appeals board may suspend the department's approval in whole or in part pending such appeal where there exists potential for immediate and material damage to a public resource.

((7)) (8) Appeals under this section shall be made to the appeals board in the manner and time provided in RCW 76.09.220(9) as now or hereafter amended. In such appeals there shall be no presumption of correctness of either the county or the department position.

((8)) (9) The department shall, within four business days notify the county of all notifications, approvals and disapprovals of an application affecting lands within the county, except to the extent the county has waived its right to such notice.

((9)) (10) A county may waive in whole or in part its rights under this section, and may withdraw or modify any such waiver, at any time by written notice to the department.

Sec. 5, Section 6, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.060 are each amended to read as follows:

(1) The department shall prescribe the form and contents of the notification and application. The forest practices regulations shall specify by whom and under what conditions the notification and application shall be signed. The application or notification shall be delivered in person or sent by certified mail to the department. The information required may include, but shall not be limited to:

- (a) Name and address of the forest land owner, timber owner, and operator;
- (b) Description of the proposed forest practice or practices to be conducted;
- (c) Legal description of the land on which the forest practices are to be conducted;
- (d) Planimetric and topographic maps showing location and size of all lakes and streams and other public waters in and immediately adjacent to the operating area and showing all existing and proposed roads and tractor roads;
- (e) Description of the silvicultural, harvesting, or other forest practice methods to be used, including the type of equipment to be used and materials to be applied;
- (f) Proposed plan for reforestation and for any revegetation necessary to reduce erosion potential from roadsides and yarding roads, as required by the forest practices regulations;
- (g) Soil, geological, and hydrological data with respect to forest practices;
- (h) The expected dates of commencement and completion of all forest practices specified in the application;
- (i) Provisions for continuing maintenance of roads and other construction or other measures necessary to afford protection to public resources; and

(j) An affirmation that the statements contained in the notification or application are true.

(2) At the option of the applicant, the application or notification may be submitted to cover a single forest practice or any number of forest practices within reasonable geographic or political boundaries as specified by the department. Long range plans may be submitted to the department for review and consultation.

(3) The application shall indicate whether any land covered by the application will be converted or is intended to be converted to a use other than commercial timber production within three years after completion of the forest practices described in it. (a) If the application states that any such land will be or is intended to be so converted:

(i) The reforestation requirements of this chapter and of the forest practices regulations shall not apply if the land is in fact so converted unless applicable alternatives or limitations are provided in forest practices regulations issued under RCW 76.09.070 as now or hereafter amended;

(ii) Completion of such forest practice operations shall be deemed conversion of the lands to another use for purposes of chapters 84.28, 84.33 and 84.34 RCW unless the conversion is to a use permitted under a current use tax agreement permitted under chapter 84.34 RCW;

(iii) The forest practices described in the application are subject to applicable county, city and regional governmental authority permitted under RCW 76.09.240 as now or hereafter amended as well as the forest practices regulations.

(b) If the application does not state that any land covered by the application will be or is intended to be so converted:

(i) For six years after the date of the application the county or city and regional governmental entities may deny any or all applications for permits or approvals, including building permits and subdivision approvals, relating to nonforestry uses of land subject to the application;

(ii) Failure to comply with the reforestation requirements contained in any final order or decision shall constitute a removal from classification under the provisions of RCW 84.28.065, a removal of designation under the provisions of RCW 84.33.140, and a change of use under the provisions of RCW 84.34.080, and,

if applicable, shall subject such lands to the payments and/or penalties resulting from such removals or changes; and

(iii) Conversion to a use other than commercial timber operations within three years after completion of the forest practices without the consent of the county or municipality shall constitute a violation of each of the county, municipal and regional authorities to which the forest practice operations would have been subject if the application had so stated.

(4) The application shall be either signed by the forest land owner or accompanied by a statement signed by the forest land owner indicating his intent with respect to conversion and acknowledging that he is familiar with the effects of this subsection.

(5) Whenever an approved application authorizes a forest practice which, because of soil condition, proximity to a water course or other unusual factor, has a greater than ordinary potential for causing material damage to a public resource, as determined by the department, the applicant shall notify the department five days before the commencement of actual operations.

(6) Before commencing any forest practice in a manner or to an extent significantly different from that described in a previously approved application or notification, the applicant shall submit to the department a new application or notification form in the manner set forth in this section.

(7) The notification to or the approval given by the department to an application to conduct a forest practice shall be effective for a term of one year from the date of approval or notification and shall not be renewed unless a new application is filed and approved or a new notification has been filed.

(8) Notwithstanding any other provision of this section, no prior application shall be required for any emergency forest practice necessitated by fire, flood, windstorm, earthquake, or other emergency as defined by the board, but the operator shall submit an application or notification, whichever is applicable to the department within forty-eight hours after commencement of such practice.

Sec. 6. Section 7, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.070 are each amended to read as follows:

After the completion of a logging operation, satisfactory reforestation as defined by the rules and regulations promulgated by the board shall be completed within three years: PROVIDED, That a longer period may be authorized if seed or seedlings are not available: PROVIDED FURTHER, That a period of up to five years may be allowed where a natural regeneration plan is approved by the department. Upon the completion of a reforestation operation a report on such operation shall be filed with the department of natural resources. Within (~~six~~) twelve months of receipt of such a report the department shall inspect the reforestation operation, and shall determine either that the reforestation operation has been properly completed or that further reforestation and inspection is necessary.

The forest practices regulations may provide alternatives to or limitations on the applicability of reforestation requirements with respect to forest lands being converted in whole or in part to another use which is compatible with timber growing.

The forest practices regulations may identify classifications and/or areas of forest land that have the potential for future conversion to urban development on which reforestation requirements may be modified or eliminated: PROVIDED, That in such modifications or limitations on reforestation reasonable land use planning goals and concepts shall be considered.

Sec. 7. Section 8, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.080 are each amended to read as follows:

(1) The department shall have the authority to serve upon an operator a stop work order which shall be a final order of the department if:

- (a) There is any violation of the provisions of this chapter or the forest practices regulations; or
- (b) There is a deviation from the approved application; or
- (c) Immediate action is necessary to prevent continuation of or to avoid material damage to a public resource.

(2) The stop work order shall set forth:

- (a) The specific nature, extent, and time of the violation, deviation, damage, or potential damage;
- (b) An order to stop all work connected with the violation, deviation, damage, or potential damage;
- (c) The specific course of action needed to correct such violation or deviation or to prevent damage and to correct and/or compensate for damage to public resources which has resulted from any violation or unauthorized deviation; and those courses of action necessary to prevent continuing damage to public resources where the damage has not resulted from any violation, unauthorized deviation, or negligence; and

(d) The right of the operator to a hearing before the appeals board.

The department shall immediately file a copy of such order with the appeals board and mail a copy thereof to the timber owner and forest land owner at the addresses shown on the application. The operator, timber owner, or forest land owner may commence an appeal to the appeals board within fifteen days after service upon the operator. If such appeal is commenced, a hearing shall be held not more than twenty days after copies of the notice of appeal were filed with the appeals board. Such proceeding shall be a contested case within the meaning of chapter 34.04 RCW. The operator shall comply with the order of the department immediately upon being served, but the appeals board if requested shall have authority to continue or discontinue in whole or in part the order of the department under such conditions as it may impose pending the outcome of the proceeding.

Sec. 8. Section 9, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.090 are each amended to read as follows:

If a violation, a deviation, material damage or potential for material damage to a public resource has occurred and the department determines that a stop work order is unnecessary, then the department shall issue and serve upon the operator a notice, which shall clearly set forth:

- (1) (a) The specific nature, extent, and time of failure to comply with the approved application; or identifying the damage or potential damage; and/or
- (b) The relevant provisions of this chapter or of the forest practice regulations relating thereto;
- (2) The right of the operator to a hearing before the department pursuant to chapter 34.04 RCW; and
- (3) The specific course of action ordered by the department to be followed by the operator to correct such failure to comply and to prevent, correct and/or compensate for material damage to public resources which resulted from any violations or unauthorized deviations from forest practices and those courses of action necessary to prevent continuing damage to public resources where the damage has not resulted from any violation, unauthorized deviation, or negligence.

The department shall mail a copy thereof to the forest land owner and the timber owner at the addresses shown on the application, showing the date of service upon the operator. Such notice to comply shall become a final order of the department and such operator shall undertake the course of action so ordered by the department unless, within fifteen days after the date of service of such notice to comply, the operator, forest land owner, or timber owner, shall request the department in writing to schedule a hearing. If so requested, the department shall schedule a hearing on a date not more than twenty days after receiving such request. Within ten days after such hearing, the department shall issue a final order either withdrawing its notice to comply or clearly setting forth the specific course of action to be followed by such operator. Such operator shall undertake the course of action so ordered by the department unless within thirty days after the date of such final order, the operator, forest land owner, or timber owner appeals such final order to the appeals board.

Sec. 9. Section 14, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.140 are each amended to read as follows:

(1) The department of natural resources, through the attorney general, may take any necessary action to enforce any final order or final decision, or to enjoin any forest practices by any person for a one year period after such person has failed to comply with a final order or a final decision.

(2) ~~(The department of ecology, through the attorney general, may take any necessary action to enforce any final order of such department or any final decision of the pollution control hearings board relating to water quality protection, or to enjoin any forest practices relating to water quality protection by any person for a one year period after such person has failed to comply with a final order or final decision.~~

(3) A county may bring injunctive, declaratory, or other actions for enforcement for forest practice activities within its jurisdiction in the superior court as provided by law against the department ~~((or the department of ecology)),~~ the forest land owner, timber owner or operator to enforce the forest practice regulations or any final order of the department, or ~~((the department of ecology,))~~ the appeals board ~~((or the pollution control hearings board))~~: PROVIDED, That no civil or criminal penalties shall be imposed for past actions or omissions if such actions or omissions were conducted pursuant to an approval or directive of the department of natural resources ~~((or department of ecology))~~: AND PROVIDED FURTHER, That such actions shall not be commenced unless the department ~~((or the department of ecology))~~ fails to take appropriate action after ten days written notice to the respective department by the county of a violation of the forest practices regulations or final orders of the department ~~((or the department of ecology))~~ or the appeals board ~~((or the pollution control hearings board))~~.

Sec. 10. Section 17, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.170 are each amended to read as follows:

Every person who fails to comply with any provision of RCW 76.09.010 through 76.09.280 as now or hereafter amended or of the forest practices regulations shall be subject to a penalty in an amount of not more than one thousand dollars per day for every such violation. Each and every such violation shall be a separate and distinct offense. In case of a continuing violation, every day's continuance shall be a separate and distinct violation. Every person who through an act of commission or omission procures, aids or abets in the violation shall be considered to have violated the provisions of this section and shall be subject to the penalty herein provided for: PROVIDED, That no penalty shall be imposed under this section upon any governmental official, an employee of any governmental department, agency, or entity, or a member of any board or advisory committee created by this chapter for any act or omission in his duties in the administration of this chapter or of any regulation promulgated thereunder.

The penalty herein provided for shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the department ~~((of natural resources, or the department of ecology if water quality protection is involved.))~~ describing the violation with reasonable particularity. Within fifteen days after the notice is received, the person incurring the penalty may apply in writing to the department ~~((imposing the penalty))~~ for the remission or mitigation of such penalty. Upon receipt of the application, that department may remit or mitigate the penalty upon whatever terms that department in its discretion deems proper, provided the department ~~((imposing the penalty))~~ deems such remission or mitigation to be in the best interests of carrying out the purposes of this chapter. The department ~~((of natural resources and the department of ecology))~~ shall have authority to ascertain the facts regarding all such applications in such reasonable manner and under such regulations as they may deem proper.

Any person incurring any penalty hereunder may appeal the same to the forest practices appeals board(~~(- PROVIDED, That the appeal of any penalty imposed by the department of ecology relating to water quality protection shall be to the pollution control hearings board)~~).

Such appeals shall be filed within thirty days of receipt of notice imposing any penalty unless an application for remission or mitigation is made to the department (~~(or the department of ecology)~~). When such an application for remission or mitigation is made, such appeals shall be filed within thirty days of receipt of notice from the department (~~(or the department of ecology)~~) setting forth the disposition of the application.

Any penalty imposed hereunder shall become due and payable thirty days after receipt of a notice imposing the same unless application for remission or mitigation is made or an appeal is filed. When such an application for remission or mitigation is made, any penalty incurred hereunder shall become due and payable thirty days after receipt of notice setting forth the disposition of such application unless an appeal is filed from such disposition. Whenever an appeal of any penalty incurred hereunder is filed, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final decision confirming the penalty in whole or in part.

If the amount of any penalty is not paid to the department (~~(or the department of ecology)~~) within thirty days after it becomes due and payable, the attorney general, upon the request of the (~~(respective director)~~) department, shall bring an action in the name of the state of Washington in the superior court of Thurston county or of any county in which such violator may do business, to recover such penalty. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise in this chapter provided.

Sec. 11. Section 18, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.180 are each amended to read as follows:

All penalties received or recovered by state agency action for violations as prescribed in RCW 76.09.170 as now or hereafter amended shall be deposited in the state general fund. All such penalties recovered (~~(as a result of local government action)~~) by local government shall be deposited in the local government general fund. Any funds recovered as reimbursement for damages pursuant to RCW 76.09.080 and 76.09.090 as now or hereafter amended shall be transferred to that agency with jurisdiction over the public resource damaged, including but not limited to political subdivisions, the department of game, the department of fisheries, the department of ecology, the department of natural resources, or any other department that may be so designated(~~(- PROVIDED, That nothing herein shall be construed to affect the provisions of RCW 90.48.142)~~).

Sec. 12. Section 22, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.220 are each amended to read as follows:

(1) The appeals board shall operate on either a part time or a full time basis, as determined by the governor. If it is determined that the appeals board shall operate on a full time basis, each member shall receive an annual salary to be determined by the governor. If it is determined that the appeals board shall operate on a part time basis, each member shall receive compensation on the basis of seventy-five dollars for each day spent in performance of his duties: PROVIDED, That such compensation shall not exceed ten thousand dollars in a fiscal year. Each member shall receive reimbursement for travel and other expenses incurred in the discharge of his duties in accordance with the provisions of chapter 43.03 RCW.

(2) The appeals board may appoint, discharge, and fix the compensation of an executive secretary, a clerk, and such other clerical, professional, and technical assistants as may be necessary. As specified in RCW 41.06.073, such employment shall be in accordance with the rules of the state civil service law, chapter 41.06 RCW.

(3) The appeals board shall as soon as practicable after the initial appointment of the members thereof, meet and elect from among its members a chairman, and shall at least biennially thereafter meet and elect or reelect a chairman.

(4) The principal office of the appeals board shall be at the state capital, but it may sit or hold hearings at any other place in the state. A majority of the appeals board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position on the board be vacant. One or more members may hold hearings and take testimony to be reported for action by the board when authorized by rule or order of the board. The appeals board shall perform all the powers and duties granted to it in this chapter or as otherwise provided by law.

(5) The appeals board shall make findings of fact and prepare a written decision in each case decided by it, and such findings and decision shall be effective upon being signed by two or more members and upon being filed at the appeals board's principal office, and shall be open to public inspection at all reasonable times.

(6) The appeals board shall either publish at its expense or make arrangements with a publishing firm for the publication of those of its findings and decisions which are of general public interest, in such form as to assure reasonable distribution thereof.

(7) The appeals board shall maintain at its principal office a journal which shall contain all official actions of the appeals board, with the exception of findings and decisions, together with the vote of each member on such actions. The journal shall be available for public inspection at the principal office of the appeals board at all reasonable times.

(8) The forest practices appeals board shall have exclusive jurisdiction to hear appeals arising from an action or determination by the department(~~(- and the pollution control hearings board established by RCW~~

~~43-21B-010 shall have exclusive jurisdiction to hear appeals arising from an action or determination by the department of ecology).~~

(9) (a) Any person aggrieved by the approval or disapproval of an application to conduct a forest practice may seek review from the appeals board by filing a request for the same within thirty days of the approval or disapproval. Concurrently with the filing of any request for review with the board as provided in this section, the requestor shall file a copy of his request with the department and the attorney general. The attorney general may intervene to protect the public interest and insure that the provisions of this chapter are complied with.

(b) The review proceedings authorized in subparagraph (a) of this subsection are subject to the provisions of chapter 34.04 RCW pertaining to procedures in contested cases.

Sec. 13. Section 24, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.240 are each amended to read as follows:

No county, city, municipality or other local or regional governmental entity shall adopt or enforce any law, ordinance, or regulation pertaining to forest practices, except that to the extent otherwise permitted by law, such entities may exercise any:

(1) Land use planning or zoning authority: PROVIDED, That exercise of such authority may regulate forest practices only: (a) Where the application submitted under RCW 76.09.060 as now or hereafter amended indicates that the lands will be converted to a use other than commercial timber production; or ~~(b) on lands which have been platted after January 1, 1960~~~~(; or (c) on tracts of forest land not otherwise covered under subsections (a) and (b) and less than twenty acres including road rights of way in contiguous ownership not classified, designated and taxed under chapter 84.34 RCW, chapter 84.33 RCW, or chapter 84.28 RCW)~~: PROVIDED, That no permit system solely for forest practices shall be allowed; that any additional or more stringent regulations shall not be inconsistent with the forest practices regulations enacted under this chapter; and such local regulations shall not unreasonably prevent timber harvesting;

(2) Taxing powers;

(3) Regulatory authority with respect to public health; and

(4) Authority, if any, to regulate road construction within the shoreline area or enforce the provisions of RCW 90.58.150 granted by chapter 90.58 RCW, the "Shoreline Management Act of 1971".

Sec. 14. Section 26, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.260 are each amended to read as follows:

The department shall represent the state's interest in matters pertaining to forestry and forest practices, including federal matters, and may consult with and cooperate with the federal government and other states, as well as other public agencies, in the study and enhancement of forestry and forest practices. The department is authorized to accept, receive, disburse, and administer grants or other funds or gifts from any source, including private individuals or agencies, the federal government, and other public agencies for the purposes of carrying out the provisions of this chapter.

Nothing in this chapter shall modify the designation of the department of ecology as the agency representing the state for all purposes of the Federal Water Pollution Control Act: PROVIDED, That the department of ecology shall consult with the department relative to state actions, responses, or recommendations to the federal government concerning nonpoint pollution from silvicultural activities.

Sec. 15. Section 32, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.910 are each amended to read as follows:

Nothing in RCW 76.09.010 through 76.09.280 as now or hereafter amended shall modify any requirements to ~~((obtain permits))~~ comply with the Shoreline Management Act of 1971 with respect to road construction within the shoreline area or the provisions of RCW 90.58.150, or any violations that may be found, under ~~((the Shoreline Management Act of 1971 (chapter 90.58 RCW);))~~ the Hydraulics Act (RCW 75.20.100), other state statutes in effect on January 1, 1975, and any local ordinances not inconsistent with RCW 76.09.240 as now or hereafter amended: PROVIDED, That the department under guidelines and criteria established by the departments of fisheries and game shall administer the provisions of RCW 75.20.100 regarding forest practice projects or other works requiring approvals therein.

**NEW SECTION.** Sec. 16. There is added to chapter 137, Laws of 1974 ex. sess. and chapter 76.09 RCW a new section to read as follows:

Forest practice operations conducted in compliance with the forest practices rules and regulations shall be considered to be in compliance with the state environmental policy act and further, shall not be subject to the requirements of an environmental impact statement.

**NEW SECTION.** Sec. 17. There is added to chapter 137, Laws of 1974 ex. sess. and to chapter 76.09 RCW a new section to read as follows:

The department shall survey, monitor, and prepare an analysis of all silvicultural nonpoint pollution activities and control programs in the state, and report and recommend to the forest practices board and to the governor any corrective action deemed necessary.

Sec. 18. Section 30, chapter 137, Laws of 1974 ex. sess. and RCW 90.48.420 are each amended to read as follows:

(1) The department of ecology, pursuant to powers vested in it previously by chapter 90.48 RCW and consistent with the policies of said chapter and RCW 90.54.020(3), shall be solely responsible for establishing water quality standards for waters of the state. On or before January 1, 1975, the department of ecology shall examine existing regulations containing water quality standards and other applicable rules and regulations of said department pertaining to waters of the state affected by nonpoint sources of pollution arising from forest practices and, when it appears appropriate to the department of ecology, modify said



regulations for such purposes. In any such examination or modification the department of ecology shall consider such factors, among others, as uses of the receiving waters, diffusion, down-stream cooling, and reasonable transient and short-term effects resulting from forest practices.

Promulgation of forest practices regulations by the (~~department of ecology and the~~) forest practices board, shall be accomplished so that to the extent feasible compliance with such forest practice regulations will achieve compliance with (~~such water quality standards~~) water pollutant control laws.

(2) The department of ecology shall monitor water quality to determine whether revisions in such water quality standards or revisions in such forest practices regulations are necessary to accomplish the foregoing result, and either promulgate appropriate revisions to such water quality standards or propose appropriate revisions to such forest practices regulations or both.

(3) Notwithstanding any other provisions of chapter 90.48 RCW or of the rules and regulations promulgated thereunder, no permit system pertaining to nonpoint sources of pollution arising from forest practices shall be authorized, and no civil or criminal penalties shall be imposed with respect to any forest practices conducted in full compliance with the applicable provisions of RCW 76.09.010 through 76.09.280, forest practices regulations, and any approvals or directives of the department of natural resources thereunder.

(4) Prior to the department of ecology taking action under statutes or regulations relating to water quality, regarding violations of water quality standards arising from forest practices, the department of ecology shall notify the department of natural resources.

**NEW SECTION.** Sec. 19. There is added to chapter 137, Laws of 1974 ex. sess. and to chapter 76.09 RCW a new section to read as follows:

This chapter and the forest practices regulations promulgated thereunder shall constitute and shall be used to fulfill planning and program requirements of the federal water pollutant control act relative to regulation of nonpoint pollution from silvicultural activities.

**NEW SECTION.** Sec. 20. There is added to chapter 137, Laws of 1974 ex. sess. and to chapter 76.09 RCW a new section to read as follows:

Notwithstanding the repeal of RCW 76.09.030 as of the effective date of this 1975 amendatory act, it is the intent of the legislature that the forest practices board shall continue to operate until such board has completed the adoption of the initial forest practice regulations. Upon the filing of a complete set of such regulations in the office of the code reviser the board shall certify to the director of the office of program planning and fiscal management that the provisions of this section have been complied with. On the date of receipt of such certification by the office of program planning and fiscal management the forest practices board is hereby declared to be abolished. All powers, duties, and functions of the board are hereby transferred to the board of natural resources as of the date the director of the office of program planning and fiscal management receives such certification from the forest practices board. The forest practice regulations adopted by the forest practices board shall continue to be valid and in full force and effect until they are amended or repealed by action of the board of natural resources.

**NEW SECTION.** Sec. 21. The following acts or parts of acts are each hereby repealed:

(1) Section 3, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.030: PROVIDED, That such repealer shall not affect any contractual obligation existing on the effective date of this section or invalidate any act taken by the forest practices board prior to the effective date of this section;

(2) Section 10, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.100; and

(3) Section 16, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.160."

In line 1 of the title, strike all after "AN ACT Relating to" down to the period on line 11 and substitute "forest practices; amending section 1, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.010; amending section 2, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.020; amending section 4, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.040; amending section 5, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.050; amending section 6, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.060; amending section 7, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.070; amending section 8, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.080; amending section 9, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.090; amending section 14, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.140; amending section 17, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.170; amending section 18, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.180; amending section 22, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.220; amending section 24, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.240; amending section 26, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.260; amending section 32, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.910; amending section 30, chapter 137, Laws of 1974 ex. sess. and RCW 90.48.420; adding new sections to chapter 137, Laws of 1974 ex. sess. and to chapter 76.09 RCW; repealing section 3, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.030; repealing section 10, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.100; and repealing section 16, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.160"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Martinis moved that the House do not concur in the Senate amendments to Substitute House Bill No. 1078 and ask the Senate for a conference thereon.

## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Flanagan.

Mr. Flanagan: "You told us what was wrong with the amendments, but you didn't say what they were. I was wondering if we could find out what they are?"

Mr. Martinis: "There are copies on your desk, Representative Flanagan, and in your billbook. The Senate actually violated what we call a House Rule—they hung Senate Bill No. 2079 in toto except for the title onto Substitute House Bill No. 1078."

Mr. Berentson spoke in favor of the motion, and the motion was carried.

## SENATE AMENDMENT TO HOUSE BILL

May 5, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 249 with the following amendment:

On page 1, line 22 after "in" and before "dump" insert "end or belly" and on line 23, after "logs," insert "transportation of specialized underwater exploration equipment for hydroelectric projects," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Hansen, the House concurred in the Senate amendment to Substitute House Bill No. 249.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 249 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 249 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 65; nays, 22; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bender, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Thompson, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Becker, Blair, Boldt, Brown, Chandler, Cochrane, Ehlers, Eng, Gaspard, Hanna, Hawkins, Lee, Maxie, Moon, Shinpoch, Smith R., Sommers, Valle, Warnke, Wojahn.

Not voting: Representatives Bond, Douthwaite, Haley, Knowles, Kuehnle, Pardini, Parker, Patterson, Randall, Tilly, Williams.

Substitute House Bill No. 249 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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 AFTERNOON SESSION
 

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Haley, Knowles and Kuehnle, who were excused.

## MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

## SECOND READING

HOUSE BILL NO. 91, by Representatives Fischer, Jastad and Wojahn (by request of Committee on Commerce of the 43rd Legislature):

Enacting a hazardous substance act.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 91 was substituted for House Bill No. 91, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 91 was read the second time.

Mr. Eikenberry moved adoption of the following amendment:

On page 12, line 29 strike all of subsection (2) and renumber the remaining subsection consecutively.

Mr. Eikenberry spoke in favor of the amendment, and Mr. Warnke spoke against it.

The amendment was not adopted.

Substitute House Bill No. 91 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 720, by Representatives Moreau, Becker, Conner, Maxie, Hansey, Nelson, Berentson and Luders:

Authorizing state colleges of education to offer degrees through master's degree subject to review and recommendations by the legislature.

The bill was read the second time.

## MOTION

On motion of Mr. Charette, further action on House Bill No. 720 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 774, by Representative Warnke:

Regulating and licensing massage businesses.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, Nineteenth Day ex. sess., April 1, 1975.)

On motion of Mr. Warnke, the committee amendments were adopted.

On motion of Mr. Warnke, the following amendment was adopted:

On page 1, following line 29 add a new subsection to read as follows:

"(3) Massage practiced at the athletic department of any nonprofit organization licensed under RCW 66.24.400 and RCW 66.24.450."

House Bill No. 744 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1043, by Representative Savage:

Requiring an employer to assure a workman on temporary disability of a light duty position.

The bill was read the second time.

## MOTION

On motion of Mr. Charette, further action on House Bill No. 1043 was deferred, and the bill was ordered placed on the second reading calendar immediately following House Concurrent Resolution No. 31.

HOUSE BILL NO. 1150, by Representative Conner:

Authorizing contractual interest of school directors of 2nd and 3rd class districts up to an amount of \$3,600 in a calendar year.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE CONCURRENT RESOLUTION NO. 31, by Representatives Brown, Charnley, Thompson, King and Hawkins:

Authorizing introduction of a Memorial relating to South Viet Nam refugees.

The resolution was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1043:

The House resumed consideration of the bill on second reading.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, Thirty-second Day ex. sess., April 14, 1975.)

On motion of Mr. Savage the committee amendments were adopted.

House Bill No. 1043 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 212, by Representatives Jastad, Kalich, Haussler, Hendricks, Haley, Gallagher and Gaines:

Changing the gambling laws relating to amusement games.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 212 was substituted for House Bill No. 212, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 212 was read the second time.

Mr. Curtis moved adoption of the following amendment by Representatives Curtis, Conner, Gaines, Gallagher, Kuehnle and Jastad:

On page 11, following line 27 add a new subsection as follows:

"(23) 'Annual fund-raising event' means a fund raising event conducted during any three consecutive days and not more than once in any calendar year by a bona fide charitable or nonprofit organization as defined in subsection (3) above, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a permit therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles: PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings and for the purchase cost of prizes given as winnings do not exceed five thousand dollars; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect to the device; (c) any bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; and (d) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities will be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted."

Representatives Gaines, Conner and Curtis spoke in favor of the amendment, and Representatives Wojahn and Warnke spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Curtis and others to Substitute House Bill No. 212, and the amendment was not adopted by the following vote: Yeas, 26; nays, 64; not voting, 8.

Voting yea: Representatives Bagnariol, Ceccarelli, Charette, Chatalas, Conner, Curtis, Dunlap, Ehlers, Erickson, Flanagan, Gaines, Gallagher, Hurley M., Jastad, King, Lysen, Moon, North, Perry, Savage, Sherman, Shinpoch, Smith E. P., Thompson, Tilly, Wilson.

Voting nay: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Chandler, Charnley, Clemente, Cochrane, Deccio, Douthwaite, Eikenberry, Fischer, Fortson, Freeman, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Juelling, Kalich, Kilbury, Laughlin, Leckenby, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Randall, Schumaker, Seeburger, Smith R., Sommers, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Eng, Haley, Hayner, Knowles, Kuehnle, Matthews, Polk.

The Clerk read the following amendment by Representative Conner:

On page 11, line 21 after "contest" insert "PROVIDED, That nonprofit organizations exempt from the payment of tax imposed by section 4401(a) and section 4411 of the Internal Revenue Code of 1954 as amended, may retain a portion of the proceeds of such pools"

With the consent of the House, Mr. Conner withdrew the amendment.

Mr. Conner moved adoption of the following amendment by Representatives Conner, Gaines, Kuehnlé, Gallagher and Jastad:

On page 12, line 4 after "section" insert "or annual fund-raising events as defined in RCW 9.46.020(23) and the exhibition of filmed horse races as provided for in this subsection"

Representatives Conner, Gaines and Bagnariol spoke in favor of the amendment, and Representatives Warnke and Wojahn spoke against it.

Mr. Conner spoke again in favor of the amendment, and Mr. Warnke again spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representatives Conner, Gaines, Kuehnlé, Gallagher and Jastad:

On page 12, line 20 after "raffles)" insert "and are authorized to conduct annual fund-raising events as defined in RCW 9.46.020(23) and the exhibition of filmed horse races as provided for in subsection (1) above"

With the consent of the House, Mr. Conner withdrew the amendment.

Mr. Bagnariol moved adoption of the following amendment:

On page 16, line 26 after "game." strike the remainder of the paragraph and insert "((A 'reasonable admission fee' under this item shall be limited to a fee which would defray or help to defray the expenses of the game and which would not be contrary to the purposes of this chapter.))"

Representatives Bagnariol and Conner spoke in favor of the amendment, and Mr. Warnke spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representatives Conner, Gaines, Kuehnlé and Jastad:

On page 12, following line 4 add a new paragraph as follows:

"The legislature further authorizes bona fide charitable or nonprofit organizations licensed under RCW 66.24.400 and 66.24.450 to conduct the exhibition of filmed horse races not sooner than thirty days after the running of any races so depicted and the acceptance of parimutuel wagers thereon. Such wagers shall not constitute any form of gambling or gambling activity or lottery by either the organization or participants and shall not be deemed gambling or professional gambling, the use of gambling devices, the giving of gambling information, the use of gambling premises, or the keeping of gambling records, under the provisions of this chapter. The organization may retain a percentage of any amount wagered so long as such amount is devoted solely to the lawful purposes of the organization. Other than winnings on such parimutuel wagers, no individual may share in the proceeds from wagering on such filmed horse races. The exhibition of a filmed horse race as in this subsection provided shall not constitute a race meet as set forth in RCW 67.16.010."

With the consent of the House, Mr. Conner withdrew the amendment.

Mrs. Wojahn moved adoption of the following amendments by Representatives Wojahn and Kuehnlé:

On page 15, beginning on line 4 after "thereof and" strike all material down to and including "fee" on line 5 and insert "((not less than fifty percent of any such license fee)) such portion of said fee as the commission may determine, based upon its cost of processing and investigation,"

On page 15, line 6 after "upon the" strike the remainder of the line and insert "withdrawal or denial of any such license application as its reasonable expense for processing the application and"

On page 15, line 7 after "thereof:" insert "PROVIDED FURTHER, That if in a particular case the basic license fee established by the commission for a particular class of license is less than the commission's actual expenses to investigate that particular application, the commission may at any time charge to that applicant such additional fees necessary to pay the commission for those costs. The commission may decline to proceed with its investigation and no license shall be issued until the commission has been fully paid therefor by the applicant: AND"

Representatives Wojahn and Warnke spoke in favor of the amendments, and they were adopted.

Mr. Bagnariol moved adoption of the following amendment by Representatives Bagnariol, Lysen, Conner and Chatalas:

On page 20, line 26 insert the following:

"NEW SECTION. Sec. 9. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

The state hereby preempts the field of gambling licenses and any license issued by the commission for gambling activities authorized by this chapter shall be legal authority to engage in such activities throughout the state, and no city, town, or county shall have any authority to issue gambling licenses.

NEW SECTION. Sec. 10. Section 6, chapter 135, Laws of 1974 ex. sess., section 6, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.295 are each hereby repealed."

Renumber the remaining sections consecutively.

Representatives Bagnariol, Ehlers and Lysen spoke in favor of the amendment, and Representatives Nelson, Kalich and Charnley spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bagnariol, Lysen, Conner and Chatalas to Substitute House Bill No. 212, and the amendment was not adopted by the following vote: Yeas, 24; nays, 67; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Chatalas, Conner, Ehlers, Erickson, Fortson, Gaines, Gallagher, Hansen, Hurley M., Jastad, King, Laughlin, Lee, Lysen, Martinis, McKibbin, O'Brien, Seeberger, Smith R.

Voting nay: Representatives Amen, Barnes, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Chandler, Charette, Charnley, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Freeman, Gaspard, Gilleland, Greengo, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Juelling, Kalich, Leckenby, Luders, Maxie, May, McCormick, Moon, Moreau, Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Haley, Kilbury, Knowles, Kuehnle, Matthews, Wilson, Zimmerman.

Substitute House Bill No. 212 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 212 was placed on final passage.

Representatives Jastad and Warnke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 212, and the bill passed the House by the following vote: Yeas, 85; nays, 4; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Conner, Douthwaite, Hurley G. S., Moon.

Not voting: Representatives Bond, Haley, Kilbury, Knowles, Kuehnle, Paris, Patterson, Wilson, and Mr. Speaker.

Engrossed Substitute House Bill No. 212, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 265, by Representatives Warnke, Blair and Bagnariol (by Office of Program Planning and Fiscal Management request):

Consolidating the appropriation process for support of teachers' retirement benefits.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, Forty-seventh Day ex. sess., April 29, 1975.)

On motion of Mr. Shipoch, the committee amendment was adopted.

House Bill No. 265 was ordered engrossed.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 265 was placed on final passage.

Representatives Warnke, Shinpoch and Blair spoke in favor of passage of the bill, and Representative Pardini spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 265, and the bill passed the House by the following vote: Yeas, 73; nays, 17; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Blair, Boldt, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith R., Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bond, Chandler, Deccio, Eikenberry, Eng, Hawkins, Hayner, Leckenby, Lysen, Moon, Newhouse, Pardini, Polk, Schumaker, Smith E. P., Sommers, Williams.

Not voting: Representatives Bender, Berentson, Charnley, Haley, Knowles, Kuehne, Matthews, and Mr. Speaker.

Engrossed House Bill No. 265, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 441, by Representatives Thompson and Zimmerman:

Amending the Environmental Coordination Procedures Act of 1973.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments, see Journal, Twenty-seventh Day ex. sess., April 9, 1975.)

On motion of Mr. Luders, the committee amendments were adopted.

House Bill No. 441 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 231, by Representatives Wojahn, Brown, Bender, King, Erickson, Ehlers, Hawkins and Parker (by Superintendent of Public Instruction request):

Mandating certain school districts to divide into director districts and providing for election of directors thereunder.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-first Day ex. sess., April 23, 1975.)

On motion of Mr. Bauer, the committee amendments to page 1, line 20 and to page 2, line 25 were adopted.

Mr. Bauer moved adoption of the committee amendment to page 2, line 30.

Mr. Polk moved adoption of the following amendment to the committee amendment:

On line 3 of the committee amendment after "district" strike down to and including "election" on line

4

Mr. Polk spoke in favor of the amendment to the committee amendment, and Mr. Brown spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to the committee amendment to page 2, line 30 to House Bill No. 231, and the amendment to the amendment was not adopted by the following vote: Yeas, 28; nays, 63; not voting, 7.

Voting yea: Representatives Barnes, Berentson, Blair, Bond, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Juelling, Leckenby, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Smith R., Whiteside, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman.

Not voting: Representatives Chandler, Charnley, Haley, Knowles, Kuehnle, Tilly, and Mr. Speaker.

MOTION

On motion of Mr. Charette, the House advanced to the eleventh order of business.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker (Mr. O'Brien presiding) appointed Representatives Martinis, Conner and Hansey as conferees on Engrossed House Bill No. 310.

The Speaker (Mr. O'Brien presiding) appointed Representatives Shinpoch, McKibbin and Flanagan as conferees on Engrossed House Bill No. 675.

The Speaker (Mr. O'Brien presiding) appointed Representatives Martinis, Conner and Matthews as conferees on Substitute House Bill No. 1078.

MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Thursday, May 8, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



**FIFTY-SIXTH DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, May 8, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Haley, Knowles and Kuehnle, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Gail Drew and Christopher Cook. Prayer was offered by Reverend Coriless V. Hanson of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

May 7, 1975

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2292,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2376,  
 ENGROSSED SENATE BILL NO. 2386,  
 REENGROSSED SUBSTITUTE SENATE BILL NO. 2526,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 2715,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 7, 1975

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 130,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

**SIGNED BY THE SPEAKER**

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 102,  
 HOUSE BILL NO. 158,  
 SUBSTITUTE HOUSE BILL NO. 249,  
 HOUSE BILL NO. 357,  
 HOUSE BILL NO. 366,  
 HOUSE BILL NO. 431,  
 HOUSE BILL NO. 573,  
 HOUSE BILL NO. 665.

**INTRODUCTION AND FIRST READING**

SENATE BILL NO. 2292, by Senators Goltz, Gould and McDermott (by Superintendent of Public Instruction request):

Implementing the law relating to professional personnel in school districts, their certification and institutes or workshops.

To Committee on Education

ENGROSSED SUBSTITUTE SENATE BILL NO. 2376, by Committee on State Government (Originally sponsored by Senators Guess and Cunningham):

Prescribing rights of private property owners.

To Committee on Judiciary

REENGROSSED SUBSTITUTE SENATE BILL NO. 2526, by Committee on Ecology (Originally sponsored by Senator Washington):

Providing for the conservation and protection of archaeological resources.

To Committee on State Government

#### REPORTS OF STANDING COMMITTEES

May 6, 1975

HOUSE BILL NO. 660, Prime Sponsor: Representative Adams, establishing a division of mental health and a mental health advisory council. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 15 after "include" insert "a psychiatrist, as defined by RCW 71.05.020, and"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Eng, Fischer, Fortson, Hanna, Paris, Tilly.

To Committee on Rules for second reading.

May 6, 1975

HOUSE BILL NO. 793, Prime Sponsor: Representative Polk, providing for a basic skills educational accountability system within grade k through 6 with initial pilot projects in two local school districts. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the recommendation that the amendments by the Committee on Education be adopted except for the amendment to page 3 adding a new section 8, and with the following amendments:

On page 2, line 24 strike "1977-78" and insert "1975-76"

On page 3, following section 7 add a new section as follows:

"NEW SECTION. Sec. 8. There is hereby appropriated to the superintendent of public instruction from the state general fund an amount of one million, three hundred sixty-eight thousand, two hundred, to be expended in the amount necessary to comply with the provisions of sections one through five of this act."

Signed by Representatives Shinpoch, Chairman; Amen, Bagnariol, Bausch, Blair, Boldt, Flanagan, Luders, Matthews, McKibbin, Polk, Smith (Edward), Valle.

#### MOTION

Mr. Polk moved that the rules be suspended and House Bill No. 793 be placed at the bottom of today's second reading calendar.

Mr. Polk spoke in favor of the motion, and Mr. Thompson spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place House Bill No. 793 on today's second reading calendar, and the motion was lost by the following vote: Yeas, 33; nays, 55; not voting, 10.

Voting yea: Representatives Amen, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Jueling, Leckenby, Lee, Lysen, Matthews, Moon, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Luders, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Savage, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Valle, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Barnes, Eng, Haley, Knowles, Kuehnle, Martinis, Nelson, Randall, Smith E. P., Warnke.

To Committee on Rules for second reading.

May 5, 1975

HOUSE BILL NO. 932, Prime Sponsor: Representative Fortson, relating to food fish and shellfish. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Dunlap, Gaines, Greengo, Kuehnle, Williams, Wojahn.

To Committee on Rules for second reading.

May 7, 1975

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2048, Original Prime Sponsor: Senator Knoblauch, revising laws on boating. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ways and Means - Revenue.

May 6, 1975

ENGROSSED SENATE BILL NO. 2126, Prime Sponsor: Senator Jolly, permitting public utility districts to pay travel and living expenses of prospective employees. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Bond, Ceccarelli, Chandler, Clemente, Douthwaite, Gaines, Gilleland, Hayner, Kalich, Laughlin, Leckenby, Lysen, Patterson, Schumaker, Wilson.

To Committee on Rules for second reading.

May 7, 1975

ENGROSSED SENATE BILL NO. 2226, Prime Sponsor: Senator Francis, requiring state to pay costs and fees of indigent appeals. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 8 of the engrossed bill, being line 7 of the printed bill, after "follows" insert "and, as amended, shall be recodified as a section of chapter 4.88 RCW"

On page 1, line 3 of the title after "amending" insert "and directing the recodification of"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Gaspard, Hanna, Hayner, Maxie, Patterson, Sherman.

To Committee on Rules for second reading.

May 6, 1975

ENGROSSED SENATE BILL NO. 2253, Prime Sponsor: Senator Day, specifying the number and qualifications of the state board of examiners for nursing home administrators. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Eng, Fischer, Fortson, Greengo, Haley, Hanna, Hendricks, Paris, Tilly.

To Committee on Rules for second reading.

May 6, 1975

ENGROSSED SENATE BILL NO. 2278, Prime Sponsor: Senator Ridder, providing sanctions for violation of nursing home standards; providing for inspections, reports and provisional licensing. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 27 after "exceed" strike "one thousand" and insert "five hundred"

Signed by Representatives Adams, Chairman; Bauer, Becker, Cochrane, Eng, Fortson, Greengo, Haley, Hanna, Peterson.

To Committee on Rules for second reading.

May 6, 1975

SUBSTITUTE SENATE BILL NO. 2519, Original Prime Sponsor: Senator Goltz, relating to the council on higher education. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 15 after "members" insert "who are truly representative of the public, including the minority community, and shall be"

On page 4, line 19 after "a" strike "public or private"

Signed by Representatives Maxie, Chairwoman; Charnley, Perry, Peterson, Savage, Wojahn.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Patterson. To Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 231, by Representatives Wojahn, Brown, Bender, King, Erickson, Ehlers, Hawkins and Parker (by Superintendent of Public Instruction request):

Mandating certain school districts to divide into director districts and providing for election of directors thereunder.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment to page 2, line 30.

On motion of Mr. Bauer, the committee amendment was adopted.

Mr. Polk moved adoption of the following amendment:

On page 5, line 3 strike all of section 6 and renumber the remaining sections consecutively.

Representatives Polk and Bauer spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to House Bill No. 231, and the amendment was adopted by the following vote: Yeas, 49; nays, 32; not voting, 17.

Voting yea: Representatives Amen, Barnes, Bauer, Bender, Berentson, Bond, Brown, Ceccarelli, Chandler, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaspard, Gilleland, Greengo, Hansen, Hayner, Hendricks, Hurley M., Jueling, King, Laughlin, Lee, Luders, McKibbin, Moreau, North, O'Brien, Pardini, Paris, Peterson, Polk, Schumaker, Seeberger, Smith R., Thompson, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bagnariol, Bausch, Becker, Boldt, Charette, Charnley, Cochrane, Ehlers, Erickson, Gaines, Gallagher, Hanna, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, Lysen, Martinis, Maxie, May, McCormick, Parker, Savage, Sherman, Shipoch, Smith E. P., Valle, Warnke, Wojahn.

Not voting: Representatives Blair, Douthwaite, Eng, Haley, Hansey, Knowles, Kuehnle, Leckenby, Matthews, Moon, Nelson, Newhouse, Patterson, Perry, Randall, Sommers, Williams.

House Bill No. 231 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 536, by Representatives Ceccarelli, Blair, Chatalas, Bagnariol and McCormick:

Providing for regulation of health care service contractors.

The bill was read the second time.

Committee on Financial Institutions recommendation: Do pass as amended. (For amendment, see Journal, Thirty-fourth Day ex. sess., April 16, 1975.)

#### MOTION

Mrs. Erickson moved that further action on House Bill No. 536 be deferred, and the bill be held for Monday's second reading calendar.

Representatives Erickson, Barnes and Moon spoke in favor of the motion, and Representatives Thompson and Ceccarelli spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Erickson to defer action on House Bill No. 536, and the motion was lost by the following vote: Yeas, 42; nays, 45; not voting, 11.

Voting yea: Representatives Amen, Barnes, Bender, Berentson, Blair, Bond, Brown, Chandler, Charnley, Clemente, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Hawkins, Hayner, Hendricks, Hurley G. S., Jueling, Lysen, Moon, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Sherman, Smith E. P., Smith R., Tilly, Whiteside, Williams.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Boldt, Ceccarelli, Charette, Chatalas, Conner, Deccio, Erickson, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hurley M.,

Jastad, Kalich, Kilbury, King, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Parker, Perry, Savage, Seeberger, Shinpoch, Thompson, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Eng, Haley, Hansey, Knowles, Kuehnle, Leckenby, Lee, Matthews, Randall, Sommers, Zimmerman.

Mr. Ceccarelli moved adoption of the committee amendment.

Mr. Pardini moved adoption of the following amendment to the committee amendment:  
On line 3 after "services" strike "directly"

Representatives Pardini and Eikenberry spoke in favor of the amendment to the amendment, and Representatives Parker and Adams spoke against it.

The amendment was not adopted.

The committee amendment was adopted.

Mr. Pardini moved adoption of the following amendment:

On page 1, line 17 strike all material down to and including "agreements" on line 24 and insert the following:

"(1) Benefits of a contract issued or renewed by a health care service contractor after the effective date of this act shall not be denied for health services rendered by other health care practitioners licensed by the state of Washington if such service is authorized by a physician licensed pursuant to chapter 18.71 RCW"

Mr. Pardini spoke in favor of the amendment, and Representatives Adams and Parker spoke against it.

Mr. Pardini spoke again in favor of the amendment, and Mr. Ceccarelli spoke against it.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Curtis.

Mr. Curtis: "I've generally been under the impression that if you do increase services somebody's got to pay somewhere along the line. Not being a member of this committee, was there any testimony—"

#### POINT OF ORDER

Mr. King: "The question is an apparent attempt to avoid the rule of speaking twice on the subject after the 50th day."

The Speaker (Mr. O'Brien presiding): "It will be difficult for the Speaker to rule on your question, Representative King, until Representative Curtis has finished with his question to Mr. Pardini."

Mr. Curtis: "I was going to ask you, Representative Pardini, if you had any testimony in committee concerning rates and whether or not they would increase?"

Mr. Pardini: "I cannot remember the name of the gentleman who testified in the committee—he was a representative of a major insurance company. They had allocated costs on these particular programs and he did indicate that there would be an increase in cost. He addressed himself specifically to the state employees' insurance program which has this particular provision in it. In the state insurance program, which comes up for renewal July 1st, there will be an increase in that directly attributable to expanded services."

Representatives Randall, Adams and Barnes spoke against the amendment by Representative Pardini, and it was not adopted.

Mr. Pardini moved adoption of the following amendment:

On page 1, section 2, line 24 after "agreements" strike the period and insert ", if such practice, as described in chapters 48.20 and 48.21 RCW, are requested by the persons or groups of persons who are subscribers of said health care agreements."

Representatives Pardini, Berentson and Barnes spoke in favor of the amendment, and Representatives Parker and Adams spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to page 1, line 24 of House Bill No. 536, and the amendment was not adopted by the following vote: Yeas, 26; nays, 58; not voting, 14.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Curtis, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Gilleland, Greengo, Hansey, Hayner, Hendricks, Juelling, Lee, Moon, Newhouse, Pardini, Polk, Schumaker, Sommers, Tilly, Williams, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Eng, Fortson, Freeman, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Leckenby, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Thompson, Valle, Warnke, Whiteside, Wojahn, and Mr. Speaker.

Not voting: Representatives Brown, Chandler, Douthwaite, Fischer, Haley, Knowles, Kuehnle, Luders, Matthews, Nelson, Paris, Patterson, Smith E. P., Wilson.

The Clerk read the following amendment by Representative Pardini:

On page 1, line 24 after "care" strike "shall" and insert "may" and after "agreements" insert ", if said benefits are demanded by persons or groups of persons who are subscribers to said agreements"

With the consent of the House, Mr. Pardini withdrew the amendment.

Mr. Pardini moved adoption of the following amendment:

On page 1, section 2, line 24 after "agreements" insert ": PROVIDED, That the health care service contractor may provide for indemnity payments to cover such services: PROVIDED FURTHER, That the health care contractor can control the extent of such services by placing a limit on the amount of money paid therefor or the number of patient visits to such practitioners"

Mr. Pardini spoke in favor of the amendment, and Representatives Parker and Deccio spoke against it.

#### POINT OF ORDER

Mr. Pardini: "Mr. Deccio is on third reading."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The question before the House, Representative Deccio, is an amendment by Representative Pardini, so I would suggest that you hold your comments and remarks to this proposed amendment."

Mr. Deccio continued his remarks against adoption of the amendment, and Mr. Barnes spoke in favor of it.

The amendment was not adopted.

The Clerk read the following amendment by Representative Pardini:

On page 1, section 2, line 24 after "agreements" insert ", except for those benefits described in RCW 48.20.390"

With the consent of the House, Mr. Pardini withdrew the amendment.

Mr. Ceccarelli moved adoption of the following amendment:

On page 1, line 24 after "agreements" insert ": PROVIDED, That the practitioners specified in RCW 48.20.390 to 48.20.414, inclusive, and RCW 48.21.130 to 48.21.144, inclusive, develop and implement programs of utilization and peer review for the purpose of evaluating frequency of services rendered and fees charged: PROVIDED FURTHER, That said programs must be mutually acceptable to the practitioner, the health care contractor, and the secretary of the department of social and health services: PROVIDED FURTHER, That if such mutually acceptable programs are not developed and implemented within six months after the effective date of this act, the secretary of the department of social and health services shall promulgate regulations establishing such programs according to the intent of this act"

The Clerk read the following amendment to the Ceccarelli amendment by Representative Barnes:

On line 2 after "48.20." strike "414" and insert "416" and on line 3 after "48.21." strike "144" and insert "14"

With the consent of the House, Mr. Barnes withdrew the amendment and moved adoption of the following amendments to the amendment:

On lines 8 and 11 strike "secretary of the department of social and health services" and insert "insurance commissioner"

Mr. Barnes spoke in favor of the amendments to the amendment, and Representatives Ceccarelli and Eikenberry spoke against them.

Mr. Barnes now spoke against adoption of the amendments to the Ceccarelli amendment, and they were not adopted.

Mr. Barnes moved adoption of the following amendment to the Ceccarelli amendment: Beginning on line 9 of the amendment with "PROVIDED FURTHER" strike all material remaining in said amendment.

Mr. Barnes spoke in favor of the amendment to the amendment, and Representatives Ceccarelli and Parker spoke against it.

The amendment to the amendment was not adopted.

The amendment by Representative Ceccarelli was adopted.

House Bill No. 536 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 720, by Representatives Moreau, Becker, Conner, Maxie, Hansey, Nelson, Berentson and Luders:

Authorizing state colleges of education to offer degrees through master's degree subject to review and recommendations by the legislature.

The bill was read the second time.

On motion of Ms. Maxie, Second Substitute House Bill No. 720 was substituted for House Bill No. 720, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 720 was read the second time.

Mr. Moreau moved adoption of the following amendment by Representatives Moreau and Nelson:

On page 1, section 1, beginning on line 18 after "section" strike everything down to and including "legislature" on line 19 and insert "which has no fiscal impact shall be subject to the review and recommendation of the council on higher education: PROVIDED FURTHER, That any degree permitted under this section having an additional fiscal impact shall not be authorized prior to review and recommendation by the council on higher education and approval of the legislature"

The amendment was adopted.

Second Substitute House Bill No. 720 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 611, by Representatives O'Brien, Sommers, Blair, Bausch, Haussler, Douthwaite, Warnke, Erickson, Leckenby, Jastad and Ceccarelli:

Providing for regional port districts.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifteenth Day ex. sess., March 28, 1975.)

On motion of Ms. Sommers, the committee amendments were adopted.

House Bill No. 611 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 620, by Representative Maxie:

Authorizing certain supplemental payment survivors option under state universities retirement plans when employee otherwise eligible but died without exercising option.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-seventh Day ex. sess., April 29, 1975.)

On motion of Mr. Shinpoch, the committee amendments were adopted.

House Bill No. 620 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 620 was placed on final passage.

Ms. Maxie spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 620, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Haley, Hayner, Knowles, Kuehnle, Matthews, Moon, Randall, Seeberger, Warnke.

Engrossed House Bill No. 620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 721, by Representatives Zimmerman, Douthwaite, Moon, Haussler, Hawkins, Blair, Sommers, Brown and Charnley:

Revising laws relating to county solid waste collection and disposal.

The bill was read the second time.

On motion of Mr. Haussler, Substitute House Bill No. 721 was substituted for House Bill No. 721, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 721 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 798, by Representatives Kuehnle, Savage and Juelling:

Allowing supervisor of industrial insurance to authorize continuing medication necessary to alleviate pain for persons with permanent total disabilities.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, Twenty-fifth Day ex. sess., April 7, 1975.)

On motion of Mr. Savage, the committee amendment was adopted.

House Bill No. 798 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 798 was placed on final passage.

Mr. Savage spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 798, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Chandler, Curtis, Dunlap, Fischer, Freeman, Greengo, Haley, Knowles, Kuehnle, Moon, Pardini, Patterson, Perry.

Engrossed House Bill No. 798, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## EXPLANATION OF VOTE

My voting machine malfunctioned and my vote was not recorded. I wish the record to show that I voted "Yes" on Engrossed House Bill No. 798.

ROBERT A. PERRY, 32nd District.



## EXPLANATION OF VOTE

Due to malfunction of the voting machine my vote was not recorded. I wish to be recorded as voting "Yes" on Engrossed House Bill No. 798.

KEMPER FREEMAN, 48th District.

HOUSE BILL NO. 880, by Representatives Luders and Zimmerman:

Relating to water resource management.

The bill was read the second time.

On motion of Mr. Luders, Substitute House Bill No. 880 was substituted for House Bill No. 880, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 880 was read the second time.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan, Hansen and Kilbury:

On page 2, following section 3 add a new section as follows:

"NEW SECTION. Sec. 4. No provision or restriction of this act shall apply, or shall be construed to apply, to any irrigation district now existing or which may hereafter be created or exist under the laws of the state of Washington."

Renumber the remaining section consecutively.

Representatives Flanagan and Kilbury spoke in favor of the amendment, and Mr. Luders spoke against it.

## POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Amen.

Mr. Amen: "Could you tell us how irrigation districts are formed? Does this require a vote by the property owners or could a large corporation form an irrigation district now or would they have to have an agreement with other landowners?"

Mr. Flanagan: "RCW 87.03.005 says, 'Whenever fifty or a majority of the holders of title to, or of evidence of title to land susceptible of "irrigation" desire to organize an irrigation district for any or all of the purposes mentioned in RCW 87.03.010 and 87.03.015, they may propose the organization of an irrigation district in the manner provided herein; . . . ' It takes either fifty landowners or a majority greater than fifty, and it also requires, 'For the purpose of organizing an irrigation district, a petition signed by the required number of holders of title, or evidence of title to land within the proposed district, shall be presented to the board of county commissioners. . . ' which I assume means the minimum of fifty landowners."

Mr. Amen: "Then a corporation could not form a new district now as you interpret this?"

Mr. Flanagan: "Not unless there were forty-nine more individual landowners that went along at the same time."

Representatives Amen, Hansen and Flanagan spoke in favor of the amendment, and Mr. Pardini spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Flanagan, Hansen and Kilbury to Substitute House Bill No. 880, and the amendment was adopted by the following vote: Yeas, 46; nays, 44; not voting, 8.

Voting yea: Representatives Amen, Berentson, Chatalas, Conner, Curtis, Deccio, Dunlap, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gilleland, Greengo, Hansen, Hansey, Haussler, Hayner, Hurley M., Jastad, Juelling, Kalich, Kilbury, Laughlin, Leckenby, Lee, Matthews, May, McCormick, McKibbin, Nelson, Newhouse, North, O'Brien, Parker, Patterson, Peterson, Savage, Schumaker, Seeburger, Smith R., Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Gaines, Gaspard, Hanna, Hawkins, Hendricks, Hurley G. S., King, Luders, Lysen, Martinis, Maxie, Moreau, Pardini, Paris, Perry, Randall, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bond, Chandler, Eikenberry, Haley, Knowles, Kuehnle, Moon, Polk.

The Speaker assumed the Chair.

Mr. Newhouse moved adoption of the following amendment by Representatives Newhouse and Haussler:

On page 3, line 8 strike all of section 3 and renumber the remaining section consecutively.

Representatives Newhouse, Haussler and Hayner spoke in favor of the amendment, and Representatives Luders, Boldt and Amen spoke against it.

Mr. Conner demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Newhouse and Haussler to Substitute House Bill No. 880, and the amendment was not adopted by the following vote: Yeas, 28; nays, 64; not voting, 6.

Voting yea: Representatives Barnes, Berentson, Bond, Ceccarelli, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Hansen, Hansey, Haussler, Hayner, Jastad, Kalich, Martinis, May, McCormick, Newhouse, Parker, Polk, Schumaker, Seeberger, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Greengo, Hanna, Hawkins, Hendricks, Hurley G. S., Hurley M., Jueling, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Randall, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Chandler, Haley, Knowles, Kuehne, Matthews, Nelson.

Substitute House Bill No. 880 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1011, by Representatives Savage and Conner:

Permitting transfer of and preserving rights of academic personnel of community colleges working in correctional institutions if program transferred to another community college district.

The bill was read the second time.

On motion of Ms. Maxie, Substitute House Bill No. 1011 was substituted for House Bill No. 1011, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1011 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1011 was placed on final passage.

Mr. Savage spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Curtis.

Mr. Curtis: "I'm in sympathy basically with this bill, but I have a concern because it looks to me, the way I read it, that these people are locked into that program. In other words, they take with them that tenure even though that contract may be transferred from one community college to another. Those same people that are there now would remain in Shelton teaching this same program regardless of which community college administered it, is that correct?"

Mr. Savage: "That's correct. One of the main reasons that this is essential is that the community colleges have a fear that if they took them in and gave them tenure with that community college that they might bump somebody else on the campus and that's not the intention. So, instead of being tied to Centralia College for tenure, they will be tied to the contract for tenure and the department will have the responsibility of negotiations."

Representatives Maxie and Conner spoke in favor of the bill, and Mr. Shinpoch spoke against it.

#### POINT OF INQUIRY

Ms. Maxie yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Does the tenure which is transferred here apply absolutely or may it be terminated if the program in which one is employed with this tenure is terminated?"

Ms. Maxie: "I believe that was discussed and it was my understanding that the tenure would be continued with the employee and would be up for negotiation. I may not be correct on that and I would defer the remarks on that to Representative Savage."

Mr. Douthwaite: "Can you answer that question better, Representative Savage? I'm concerned about lines 23 through 26. It seems to me that the service contract shall terminate if the contract is terminated; in other words, it seems to me that tenure is conditional with the program as it is elsewhere within higher education."

Mr. Savage: "What the people we were negotiating with plan is that the educational program, which is now in a minimal stage, be broadened, and they will need this type of people one place or another, because there are now correctional educators and they are going to need more. There is no problem of getting rid of some teachers and not being able to use them, because they are only beginning the real education program."

Mr. Douthwaite spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1011, and the bill passed the House by the following vote: Yeas, 57; nays, 34; not voting, 7.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Perry, Peterson, Savage, Seeberger, Smith E. P., Smith R., Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Bausch, Berentson, Blair, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Greengo, Hansey, Hayner, Hendricks, Hurley M., Jueling, Laughlin, Leckenby, Lysen, Matthews, Newhouse, Pardini, Paris, Polk, Randall, Schumaker, Shipoch, Sommers, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Bond, Chandler, Haley, Knowles, Kuehnle, Patterson, Sherman.

Substitute House Bill No. 1011, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. Martinis presiding). The Clerk called the roll and all members were present except Representatives Chandler, Haley, Knowles and Kuehnle, who were excused.

#### MESSAGES FROM THE SENATE

May 8, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 310, and the President has appointed as members of said conference committee: Senators Donohue, Lewis, H., and Peterson.

Sidney R. Snyder, Secretary.

May 8, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 675, and the President has appointed as members of said conference committee: Senators Donohue, Newschwander and Odegaard.

Sidney R. Snyder, Secretary.

May 8, 1975

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 1078, and the President has appointed as members of said conference committee: Senators Peterson, Lewis, H., and Odegaard.

Sidney R. Snyder, Secretary.

### SECOND READING

HOUSE BILL NO. 1050, by Representatives Kilbury, Amen and Becker:

Making emergency appropriations for grain inspections.

The bill was read the second time.

Committee on Agriculture and Committee on Ways and Means – Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, Twelfth Day ex. sess., March 25, 1975, and Forty-seventh Day ex. sess., April 29, 1975.)

On motion of Mr. Kilbury, the committee amendment was adopted.

House Bill No. 1050 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1050 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1050, and the bill passed the House by the following vote: Yeas, 81; nays, 1; not voting, 16.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Lysen.

Not voting: Representatives Barnes, Chandler, Charnley, Douthwaite, Ehlers, Gaspard, Haley, Hanna, Hayner, Knowles, Kuehnle, Maxie, Patterson, Randall, Smith R., Wilson.

Engrossed House Bill No. 1050, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1075, by Representatives Curtis and Polk:

Transferring certain state funds to the general fund.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1075 was placed on final passage.

Representatives Curtis and Shinpoch spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1075, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bagnariol, Chandler, Chatalas, Douthwaite, Fortson, Gaspard, Haley, Hanna, Hansen, Knowles, Kuehnle, Moon, Patterson, Randall, Wilson.

House Bill No. 1075, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1100, by Representatives Gaspard and North:

Permitting local governments greater latitude in establishing utility rates.

The bill was read the second time.

On motion of Mr. Conner, Substitute House Bill No. 1100 was substituted for House Bill No. 1100, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1100 was read the second time and passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

ENGROSSED SENATE BILL NO. 2218, by Senators Talley and Goltz:

Providing a maximum limit for port district work contracts without bids.

The bill was read the second time.

Representative Lee moved adoption of the following amendments:

On page 1, line 10 after "exceeds" and before "thousand" strike "thirty" and insert "ten"

On page 1, line 22 after "is" and before "thousand" strike "thirty" and insert "ten"

On page 1, line 30 after "is" and before "thousand" strike "thirty" and insert "ten"

Representatives Lee, North and Cochrane spoke in favor of the amendments, and Representatives Martinis and Conner spoke against them.

The amendments were not adopted.

Mr. Pardini moved adoption of the following amendment:

On page 1, line 24 after "roster" strike down to and including "section" on line 26.

Mr. Pardini spoke in favor of the amendment, and Mr. Douthwaite spoke against it.

The amendment was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2218 was placed on final passage,

Mr. Laughlin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2218, and the bill passed the House by the following vote: Yeas, 74; nays, 17; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Eikenberry, Eng, Fischer, Flanagan, Fortson, Gallagher, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Leckenby, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Dunlap, Ehlers, Erickson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Lee, Matthews, Nelson, North, Patterson, Peterson, Polk, Schumaker, Whiteside.

Not voting: Representatives Amen, Chandler, Haley, Knowles, Kuehne, Luders, Tilly.

Engrossed Senate Bill No. 2218, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2024, by Senator Walgren:

Changing certain hearing requirements regarding franchises along public highways.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2024 was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2024, and the bill passed the House by the following vote: Yeas, 87; nays, 4; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Erickson, Nelson, Sherman, Williams.

Not voting: Representatives Bond, Chandler, Haley, Knowles, Kuehne, Laughlin, Luders.

Senate Bill No. 2024, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 2086**, by Committee on Judiciary (Originally sponsored by Senators Marsh, Francis and Buffington):

Changing certain laws relating to the guardianship of incompetents.

The bill was read the second time and passed to Committee on Rules for third reading.

**SENATE BILL NO. 2106**, by Senator Walgren:

Requiring life-cycle cost analysis for major facilities.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, Twentieth Day ex. sess., April 2, 1975.)

On motion of Mrs. McCormick, the committee amendment was adopted.

Mr. Polk moved adoption of the following amendment:

On page 1, line 23 after "be" and before "constructed" insert "planned and" and on line 23 strike "on and"

Representatives Polk and Perry spoke in favor of the amendment, and it was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2106 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2106 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 5; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Flanagan, Hayner, Pardini, Williams.

Not voting: Representatives Amen, Bauer, Chandler, Haley, Knowles, Kuehne, Luders.

Senate Bill No. 2106 as amended by the House, having received the constitutional majority was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

**HOUSE BILL NO. 130.**

**ENGROSSED SENATE BILL NO. 2242**, by Senators Henry and Marsh:

Changing membership of Columbia River Gorge Commission, defining duties, and describing area of the commission's jurisdiction.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments, see Journal, Twentieth Day ex. sess., April 2, 1975.)

On motion of Mr. Zimmerman, the committee amendments were adopted.

Engrossed Senate Bill No. 2242 as amended by the House was passed to Committee on Rules for third reading.

SENATE BILL NO. 2297, by Senators Goltz and Woody:

Increasing the number of Whatcom county superior court judges to three.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2297 was placed on final passage.

Ms. Becker spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2297, and the bill passed the House by the following vote: Yeas, 89; nays, 3; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Juelling, Matthews, Nelson.

Not voting: Representatives Bauer, Chandler, Haley, Knowles, Kuehne, Luders.

Senate Bill No. 2297, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2513, by Senators Matson and Fleming:

Authorizing completion of migrant housing demonstration project in Yakima county.

The bill was read the second time.

Mr. Newhouse moved adoption of the following amendment:

On page 2, section 3, line 6 after "either" strike the remainder of the section and insert "((the department of highways or to the state parks and recreation commission)) a state agency, to an appropriate local governmental body or to such other entity as the director may deem appropriate and in the state's best interest."

Mr. Newhouse spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Savage.

Mr. Savage: "The main purpose of the bill, of course, is to change from 1973 to 1975. The project hasn't been studied enough and they are changing it from 1975 to 1977. Does this interfere with this project in any way on the pilot part of it, to see what it's going to cost and how it's going to work out?"

Mr. Newhouse: "Not at all, Representative Savage. This would only apply after the experimental project period is over and when disposition of the project to some other agency is in order."

The amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2513 as amended by the House was placed on final passage.

Mr. Savage spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2513 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan,

Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Haley, Knowles, Kuehnle, Luders.

Senate Bill No. 2513 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

May 8, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 102,  
HOUSE BILL NO. 158,  
SUBSTITUTE HOUSE BILL NO. 249,  
HOUSE BILL NO. 357,  
HOUSE BILL NO. 366,  
HOUSE BILL NO. 431,  
HOUSE BILL NO. 573,  
HOUSE BILL NO. 665,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

On motion of Mr. Charette, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 1043, by Representative Savage:

Requiring an employer to assure a workman on temporary disability of a light duty position.

The bill was read the third time and placed on final passage.

Mr. Savage spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1043, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Haley, Knowles, Kuehnle, Matthews.

Engrossed House Bill No. 1043, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2690 as amended by the House, by Senators Jolly and Talley:

Authorizing three-quart milk containers.

The bill was read the third time and placed on final passage.

Representatives Kilbury, Charette and Newhouse spoke in favor of passage of the bill, and Representative Berentson spoke against it.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2690 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 9; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Berentson, Bond, Curtis, Dunlap, Gilleland, Hansey, Patterson, Polk.

Not voting: Representatives Chandler, Knowles, Kuehnle, Tilly, Whiteside.

Engrossed Senate Bill No. 2690 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House advanced to the eleventh order of business.

## MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 1055 was rereferred from Committee on Commerce to Committee on Social and Health Services.

On motion of Mr. Thompson, HOUSE BILL NO. 1007 was rereferred from the second reading calendar to Committee on Ways and Means - Appropriations.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, May 9, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**FIFTY-SEVENTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wash., Friday, May 9, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bagnariol, Dunlap, Haley, Knowles, Kuehnle and Zimmerman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tina Dart and John Briggs. Prayer was offered by Reverend Laura Fraser of the Church of the Epiphany of Seattle.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGE FROM THE SENATE**

May 8, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2020,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

**INTRODUCTION AND FIRST READING**

ENGROSSED SENATE BILL NO. 2020, by Senator Herr:

Establishing a state lottery, subject to referendum.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 2715, by Committee on Education (Originally sponsored by Senators Gould and Stortini):

Authorizing delay of school district preliminary budgets.

**MOTION**

On motion of Mr. Thompson, the rules were suspended and Engrossed Substitute Senate Bill No. 2715 was advanced to second reading and placed on today's second reading calendar.

**REPORTS OF STANDING COMMITTEES**

May 2, 1975

HOUSE BILL NO. 27, Prime Sponsor: Representative Eng, promoting minority business development. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the amendments proposed by Committee on Commerce and with the following amendments:

On page 3, following line 2 add a new section as follows:

"NEW SECTION. Sec. 4. There is appropriated to the department of commerce and economic development from the general fund for the biennium ending June 30, 1977, the sum of one hundred and seventy-six thousand dollars, or so much thereof as shall be necessary for the support of an office of minority business development: PROVIDED, That fifty-five thousand dollars of that amount be offset by federal funds."

On page 1, line 3 of the title after "43.31.040;" strike "and" and on line 4 after "RCW" insert "; and making an appropriation"

Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Blair, Gaspard, Hansey, McKibbin, Polk, Smith (Edward), Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 8, 1975

HOUSE BILL NO. 193, Prime Sponsor: Representative Charnley, funding oil pollution programs through a tax of two cents per barrel on incoming oil. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Bauer, Becker, Chandler, Charnley, Douthwaite, Hawkins, Zimmerman.

To Committee on Rules for second reading.

May 7, 1975

HOUSE BILL NO. 427, Prime Sponsor: Representative Perry, making appropriations for highways. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Bender, Berentson, Bond, Ceccarelli, Chandler, Clemente, Conner, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Laughlin, Lee, McCormick, Patterson, Schumaker, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

May 7, 1975

HOUSE BILL NO. 428, Prime Sponsor: Representative Perry, making appropriations for highways. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Bender, Berentson, Bond, Ceccarelli, Chandler, Clemente, Conner, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Laughlin, Lee, McCormick, Patterson, Schumaker, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

May 8, 1975

HOUSE BILL NO. 671, Prime Sponsor: Representative Sommers, modifying timber tax revenue distribution dates. Reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 7, chapter 294, Laws of 1971 ex. sess. as last amended by section 1, chapter 187, Laws of 1974 ex. sess. and RCW 82.04.291 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax with respect to such business shall be equal to the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by the appropriate rate as follows:

(a) For timber harvested between October 1, 1972 and September 30, 1973 inclusive, the rate shall be one and three-tenths percent;

(b) For timber harvested between October 1, 1973 and September 30, 1974 inclusive, the rate shall be two and nine-tenths percent and between October 1, 1974 and December 31, 1978, inclusive, six and one-half percent.

(2) For purposes of this section:

(a) "Harvester" means every person who from his own privately owned land or from the privately owned land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) "Timber" means forest trees, standing or down on privately owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) "Stumpage value of timber" means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) ~~((On or before July 1, 1972 and as necessary thereafter,))~~ The department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as

units for the preparation and application of stumpage values. ((Before September 1, 1972 for use during the fourth quarter of 1972 and all of 1973, and before December 1 of each year commencing with 1973, for use during the succeeding year) Each year on or before December 1 for use the following January through June 30, and on or before June 1 for use the following July through December 31, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. ((If, on or before April 1 of any year commencing with 1975, the department shall determine that the stumpage value index as of January 1 of such year is greater or smaller, by ten percent or more, than the stumpage value index as of July 1 of the preceding year it shall, in the same manner prescribed for annual stumpage value determinations, prepare revised tables setting forth stumpage values. Such revised tables shall be applicable to timber harvested between July 1 and December 31 of such year, inclusive. The term stumpage value index as of any date shall mean a weighted average price of state and federal timber sales for all species during the twelve months prior to such date, such weighting to be based upon the actual volumes of the several species or subclassifications of timber harvested during the four most recent calendar quarters for which such information is available from tax returns filed by harvesters. Such index and the procedures to be followed in calculating it shall be further defined in regulations to be prepared by the department of revenue and reviewed by the ways and means committees of the house and senate prior to promulgation by the department.)) Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the ways and means committees of the house and senate prior to finalization. Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax fund A and a state timber tax fund B, separate and apart from the state general fund. The revenues from the tax imposed by subsection (1) of this section shall be deposited in state timber tax fund A and state timber tax fund B as follows:

YEAR OF COLLECTION	FUND A	FUND B
1973 through 1978	100%	0%
1979	75%	25%
1980	50%	50%
1981	25%	75%
1982 and thereafter	0%	100%

(6) In addition to the rates specified in subsection (1) of this section, there shall be imposed upon such persons a surtax at a rate of .5% of the stumpage value of timber as specified in such subsection (1) upon timber harvested between October 1, 1972 and September 30, 1974 inclusive. The revenues from such surtax shall be deposited in a separate fund designated the state timber reserve fund, which is hereby created in the state treasury separate and apart from the state general fund. Such surtax shall be reimposed for one year upon timber harvested in any calendar year following any fourth quarter during which transfers from such reserve fund pursuant to subsection (3) of RCW 84.33.080 reduce the balance in such fund to less than five hundred thousand dollars, but in no event shall such surtax be imposed in any year after 1980.

(7) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(8) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.04.490 shall not apply to the taxes imposed by this section.

(9) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due."

On line 1 of the title after "; and" strike the remainder of the title and insert "amending section 7, chapter 294, Laws of 1971 ex. sess. as last amended by section 1, chapter 187, Laws of 1974 ex. sess. and RCW 82.04.291."

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Brown, Eikenberry, Hawkins, Hurley (George), Hurley (Margaret), Moreau, Pardini, Sommers.

To Committee on Rules for second reading.

May 5, 1975

HOUSE BILL NO. 701, Prime Sponsor: Representative Bagnariol, creating the legislative budget board. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Blair, Boldt, Chatalas, Ehlers, Gaspard, McKibbin, Smith (Edward), Smith (Rick), Thompson, Valle, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Amen, Flanagan, Freeman, Matthews, Polk.

To Committee on Rules for second reading.

May 8, 1975

HOUSE BILL NO. 1103, Prime Sponsor: Representative King, setting forth security provisions for transporting ballots between voting precincts and counting centers. Reported by Committee on Constitution and Elections.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Erickson, Hawkins, Lysen, Sherman, Tilly.

To Committee on Rules for second reading.

May 8, 1975

HOUSE BILL NO. 1117, Prime Sponsor: Representative Bagnariol, making certain changes in the laws relating to food fish and shellfish. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Martinis, Chairman; Bond, Clemente, Greengo, Haussler, Kilbury, Matthews, Schumaker, Smith (Rick).

To Committee on Rules for second reading.

May 5, 1975

HOUSE JOINT RESOLUTION NO. 29, Prime Sponsor: Representative Bagnariol, amending the Constitution to authorize the establishment of a legislative budget board. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The substitute resolution be substituted therefor and that the substitute resolution do pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Boldt, Chatalas, Ehlers, Gaspard, McKibbin, Smith (Edward), Smith (Rick), Thompson, Valle, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Amen, Flanagan, Freeman, Matthews, Polk.

To Committee on Rules for second reading.

May 7, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2007, Original Prime Sponsor: Senator Henry, establishing the death penalty for first degree murder. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

Strike all the material after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter ... (SSB 2092), Laws of 1975 1st ex. sess. and to chapter 9A.32 RCW a new section to read as follows:

(1) A person is guilty of aggravated murder in the first degree when he commits murder in the first degree as defined in RCW 9A.32.030 under or accompanied by any of the following circumstances:

(a) The victim was a law enforcement officer or fireman, was performing his official duties at the time of the killing, and was known to be such by the defendant at the time of the killing.

(b) At the time of the act resulting in the death, the defendant was serving a term of imprisonment in a state correctional institution.

(c) The defendant committed the murder pursuant to an agreement that he receive money or other thing of value for committing the murder.

(d) The defendant had solicited another to commit the murder and had paid or agreed to pay such person money or other thing of value for committing the murder.

(e) The defendant committed the murder with intent to conceal the commission of a crime, or to protect or conceal the identity of any person committing the same, or with intent to delay, hinder or obstruct the administration of justice by preventing any person from being a witness or producing evidence in any investigation or proceeding authorized by law or by influencing any person's official action as a juror.

(f) There was more than one victim and the said murders were part of a common scheme or plan, or the result of a single act of the defendant.

(2) A person found guilty of aggravated murder in the first degree shall be punished by imprisonment in the state penitentiary for life without any possibility of parole, except as provided in subsection (3) of this section. A sentence of life imprisonment without possibility of parole under this section shall not be suspended, deferred or commuted by any judicial officer. A person sentenced to life imprisonment without possibility of parole under this section shall never be eligible for parole or temporary or permanent release from confinement as the result of any good time calculation or as part of any work release or furlough program, or for any other reason except the issuance of a pardon or commutation of sentence to such person by the governor.

(3) Every person found guilty of aggravated murder in the first degree who, prior to the time of the act for which he was so found guilty, has previously been found guilty of aggravated murder in the first degree, shall be punished by the mandatory sentence of death. Neither the court nor the jury shall have any discretion to suspend or defer the imposition of the sentence of death or to impose any other sentence. The death sentence shall be executed at the state penitentiary under the direction of and pursuant to arrangements made by the superintendent thereof.

**NEW SECTION.** Sec. 2. There is added to chapter ... (SSB 2092), Laws of 1975 1st ex. sess. and to chapter 9A.32 RCW a new section to read as follows:

In the event that the death penalty is held to be unconstitutional by the United States supreme court or the supreme court of the state of Washington in any of the circumstances specified in section 1 of this act, the penalty for aggravated murder in the first degree in those circumstances shall be imprisonment in the state penitentiary for life. A person sentenced to life imprisonment under this section shall not have that sentence suspended, deferred, or commuted by any judicial officer, and the board of prison terms and paroles shall never reduce the period of confinement nor release the convicted person as a result of any automatic good time calculation nor shall the department of social and health services permit the convicted person to participate in any work release or furlough program.

**NEW SECTION.** Sec. 3. There is added to chapter 10.46 RCW a new section to read as follows:

The costs of all capital crimes trials and appeals therefrom shall be paid by the state, and shall not be charged against the county in which the trial was held.

**NEW SECTION.** Sec. 4. This act shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next succeeding general election to be held in this state, all in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof."

In line 3 of the title, after "9A.32 RCW;" and before "defining" insert "adding a new section to chapter 10.46 RCW;"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Gaspard, Hayner, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

May 7, 1975

ENGROSSED SENATE BILL NO. 2047, Prime Sponsor: Senator Day, requiring the preservation of hospital treatment records. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 9 after "following" strike "a" and insert "the most recent"

On page 1, line 12 after "following" insert "such"

On page 1, after line 19 insert the following:

**"NEW SECTION.** Sec. 2. There is added to chapter 18.51 RCW a new section to read as follows:

Unless specified otherwise by the board, a nursing home shall retain and preserve all records which relate directly to the care and treatment of a patient for a period of no less than ten years following the most recent discharge of the patient; except the records of minors, which shall be retained and preserved for a period of no less than three years following attainment of the age of eighteen years, or ten years following such discharge, whichever is longer.

If a nursing home ceases operations, it shall make immediate arrangements, as approved by the department, for preservation of its records.

The board shall by regulation define the type of records and the information required to be included in the records to be retained and preserved under this section; which records may be retained in photographic form pursuant to chapter 5.46 RCW."

On page 1, line 1 of the title after "hospital" insert "and nursing home"

On page 11, line 1 of the title after "records;" strike "and" and on line 2 after "RCW" insert "; and adding a new section to chapter 18.51 RCW"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Deccio, Fortson, Greengo, Hendricks, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

May 7, 1975

SENATE BILL NO. 2208, Prime Sponsor: Senator Lewis (R. H. "Bob"), authorizing the purchase of alcoholic beverages at discount for use in special alcohol programs. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 16 after "board," strike "together with all" and insert "before"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Deccio, Fischer, Fortson, Greengo, Hendricks, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

May 7, 1975

ENGROSSED SENATE BILL NO. 2401, Prime Sponsor: Senator Grant, providing for adjustment of workmen's compensation payments. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 14 after "adjustment." add a new subsection as follows:

"(2) For those whose right to compensation is established on or after July 1, 1975, or whose basis for adjustment is established by section 2(1) of this 1975 amendatory act, the adjustment shall be a percentage equal to the percentage (if any) by which the state-wide monthly wage as computed under the provisions of RCW 51.08.018 differs from the state-wide average monthly wage determined for the preceding fiscal year: PROVIDED, That in determining such percentage the division shall be carried to the fourth decimal place, with the remaining fraction, if any, disregarded. The monthly compensation after adjustment shall be fixed at the next higher dollar. No adjustment of less than one dollar shall be made.

No part of the amount of any increase attributable to the provisions of this section shall be payable from the accident fund or be charged against any class under the industrial insurance law, but such additional amounts shall be paid monthly by the director from the supplemental pension fund."

On page 2, line 15 after "3." insert "There is added to chapter 23, Laws of 1961 and to chapter 51.32 RCW a new section to read as follows:"

On page 2, line 26 after "4." strike the remainder of the section and insert "This 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 on July 1, 1975, except for the provisions of section 2, subsection (1) which shall take effect immediately."

On page 1, line 4 of the title after "adding" strike "a new section" and insert "new sections"

On page 1, line 5 of the title after "RCW;" insert "declaring an emergency"

Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, King, May, Parker.

MINORITY recommendation: Do not pass. Signed by Representatives Freeman, Gilleland, Matthews.

To Committee on Rules for second reading.

May 7, 1975

ENGROSSED SENATE BILL NO. 2422, Prime Sponsor: Senator Rasmussen, extending use of special parking permits for handicapped persons. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 beginning with "~~(Whenever~~" strike all material down to and including "~~director:))~~" on line 23 and insert "Such a privileged person shall also be entitled to receive for one motor vehicle only, a special decal to be affixed to the vehicle in a conspicuous place designated by the director, bearing distinguishing marks, letters or numerals indicating that the vehicle is owned by or primarily used for such a privileged person. Whenever such owner transfers or assigns his interest in such vehicle, the special decal shall be removed. Such person shall immediately surrender the decal to the director together with a notice

of the transfer of interest in such vehicle. If another vehicle is acquired by, or for the primary use of, such person, a new decal shall be issued by the director."

On page 1, line 23 after "renewal" insert "except for the permanently disabled who shall be issued a permanent card,"

On page 1, line 25 after "special" strike "((decal)) card" and insert "card and decal"

On page 1, line 26 after "special" strike "((decal)) card" and insert "card and decal"

On page 1, line 29 after "distinguishing" strike "((decal)) card" and insert "card and decal"

On page 2, line 13 after "distinguishing" strike "((decal)) card" and insert "card or decal"

On page 2, following section 2 insert a new section as follows:

"NEW SECTION. Sec. 3. This 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 on July 1, 1975."

On page 1, line 3 of the title after "46.16.380;" strike "and" and on line 4 after "46.61.580" insert "; declaring an emergency and providing an effective date"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Deccio, Fischer, Fortson, Greengo, Hendricks, Peterson.

To Committee on Rules for second reading.

May 7, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2560, Original Prime Sponsor: Senator Jolly, setting forth guidelines for agricultural water supply facilities. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 33 after "appoint" strike "one member" and insert "two members"

On page 4, line 34 after "appoint" strike "one member" and insert two members"

On page 5, line 1 strike "member" and insert "members"

On page 5, line 3 strike "member" and insert "members"

Signed by Representatives Kilbury, Chairman; Amen, Boldt, Deccio, Erickson, Hansen, Hansey, Haussler, Laughlin, Schumaker, Tilly.

Referred to Committee on Ways and Means - Appropriations.

May 8, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2574, Original Prime Sponsor: Senator Peterson, authorizing buy-back of fishing vessels, gear and permits. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Clemente, Gilleland, Greengo, Hansey, Hurley (George), Kalich, Kilbury, Moreau, Smith (Rick).

MINORITY recommendation: Do not pass. Signed by Representatives Bausch, Vice Chairman; Bond, Conner.

Referred to Committee on Ways and Means - Appropriations.

May 7, 1975

ENGROSSED SENATE BILL NO. 2611, Prime Sponsor: Senator Lewis (R. H. "Bob"), providing for automatic transfer of voter registration in county when address appears changed on precinct list of voters. Reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 4 of the engrossed bill, being line 4 of the printed bill as amended by the Senate committee amendment, after "each" strike "special primary or general election" and insert "primary and after each election, special or general"

On page 2, line 8 of the engrossed bill, being lines 7 and 8 of the printed bill, after "general)" strike "that" and insert "each such primary and each such"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Erickson, Hawkins, Lysen, Tilly.

To Committee on Rules for second reading.

May 7, 1975

ENGROSSED SENATE BILL NO. 2623, Prime Sponsor: Senator Marsh, requiring reports of child abuse to be forwarded to the prosecuting attorney for investigation and action. Reported by Committee on Judiciary.



**MAJORITY recommendation: Do pass with the following amendments:**

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 13, Laws of 1965 as amended by section 1, chapter 35, Laws of 1969 ex. sess. and RCW 26.44.010 are each amended to read as follows:

~~((In order to protect children and the mentally retarded whose health and welfare may be adversely affected through the infliction, by other than accidental means, of death, physical injury and/or physical neglect, or sexual abuse;))~~ The Washington state legislature finds and declares: The bond between a child and his or her parent, custodian, or guardian is of paramount importance, and any intervention into the life of a child is also an intervention into the life of the parent, custodian, or guardian; however, instances of nonaccidental injury, neglect, death, sexual abuse and cruelty to children by their parents, custodians or guardians have occurred, and in the instance where a child or mentally retarded person is deprived of his or her right to conditions of minimal nurture, health, and safety, the state is justified in emergency intervention based upon verified information; and therefore the Washington state legislature hereby provides for the reporting of such cases to the appropriate public authorities. It is the intent of the legislature that, as a result of such reports, protective services shall be made available in an effort to prevent further abuses, and to safeguard (and enhance) the general welfare of such children: PROVIDED, That such reports shall be maintained and disseminated with strictest regard for the privacy of the subjects of such reports and so as to safeguard against arbitrary, malicious or erroneous information or actions: PROVIDED FURTHER, That this chapter shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which are not proved to be injurious to the child's health, welfare and safety.

Sec. 2. Section 2, chapter 13, Laws of 1965 as amended by section 2, chapter 35, Laws of 1969 ex. sess. and RCW 26.44.020 are each amended to read as follows:

For the purpose of and as used in this chapter:

- (1) "Court" means the superior court of the state of Washington, juvenile department.
- (2) "Law enforcement agency" means the police department, the prosecuting attorney, the state patrol, the director of public safety, or the office of the sheriff.
- (3) "Practitioner of the healing arts" or "practitioner" means a person licensed by this state to practice ((chiroprody)) podiatry, optometry, chiropractic, nursing, dentistry, osteopathy and surgery, or medicine and surgery. The term "practitioner" shall include a duly accredited Christian Science practitioner: PROVIDED, HOWEVER, That a child who is being furnished Christian Science treatment by a duly accredited Christian Science practitioner shall not be considered, for that reason alone, a ((physically)) neglected child for the purposes of this chapter.
- (4) "Institution" means a private or public hospital or any other facility providing medical diagnosis, treatment or care.
- (5) "Department" means the state department of ~~((public assistance [social and health services]))~~ social and health services.
- (6) "Child" or "children" means any person under the age of eighteen years of age and shall also include any mentally retarded person regardless of age.
- (7) "Professional school personnel" shall include, but not be limited to, teachers, counselors, administrators, child care facility personnel, and school nurses.
- (8) "Social worker" shall mean anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health ((or)), welfare ((or)), support or education of children ((under the age of eighteen years)), or providing social services to adults or families, whether in an individual capacity, or as an employee or agent of any public or private organization or institution.
- (9) "Psychologist" shall mean any person licensed to practice psychology under chapter 18.83 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.
- (10) "Pharmacist" shall mean any registered pharmacist under the provisions of chapter 18.64 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.
- (11) "Clergyman" shall mean any regularly licensed or ordained minister or any priest of any church or religious denomination, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.
- (12) "Child abuse or neglect" shall mean the injury, sexual abuse, or negligent treatment or maltreatment of a child by a person who is legally responsible for the child's welfare under circumstances which indicate that the child's health, welfare and safety is harmed or threatened thereby. An abused child is a child who has been subjected to child abuse or neglect as defined herein. "Negligent treatment or maltreatment" shall mean an act or omission which evinces a serious disregard of consequences of such magnitude as to constitute a clear and present danger to the child's health, welfare and safety: PROVIDED, That this subsection shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which are not proved to be injurious to the child's health, welfare and safety.
- (13) "Child protective services section" shall mean the child protective services section of the department.

Sec. 3. Section 3, chapter 13, Laws of 1965 as last amended by section 1, chapter 167, Laws of 1971 ex. sess. and RCW 26.44.030 are each amended to read as follows:

(1) When any practitioner, professional school personnel, registered or licensed nurse, social worker, psychologist, pharmacist, ~~((clergyman;))~~ or employee of the department of social and health services has reasonable cause to believe that a child has ~~((died or has had physical injury or injuries inflicted upon him; other than by accidental means, or is found to be suffering from physical neglect, or sexual abuse))~~ suffered child abuse or neglect, he shall report such incident, or cause a report to be made, to the proper law enforcement agency or juvenile court officer or to the department of social and health services as provided in RCW 26.44.040.

(2) ~~((When a practitioner, professional school personnel, registered nurse, social worker, psychologist, pharmacist, clergyman, or employee of the department of social and health services is attending a child as part of his regular duties and has cause to believe that such child has died or has had physical injury or injuries inflicted upon him other than by accidental means, or who is found to be suffering from physical neglect, or sexual abuse, he shall notify the person in charge of the institution, organization, school, or the department or his designated representative, who shall report the incident or cause such reporting to be made as provided in RCW 26.44.040))~~ Any other person who has reasonable cause to believe that a child has suffered child abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040 as now or hereafter amended.

(3) The department or any law enforcement agency receiving a report of an incident of child abuse or neglect pursuant to this act, involving a child who has died or has had physical injury or injuries inflicted upon him other than by accidental means or who has been subjected to sexual abuse shall report such incident to the proper county prosecutor for appropriate action.

Sec. 4. Section 4, chapter 13, Laws of 1965 as last amended by section 2, chapter 167, Laws of 1971 ex. sess. and RCW 26.44.040 are each amended to read as follows:

An immediate oral report shall be made by telephone or otherwise to the proper law enforcement agency or juvenile court officer, or the department of social and health services and, upon request, shall be followed by a report in writing. Such reports shall contain the following information, if known:

- (1) The name, address, and age of the child;
- (2) The name and address of the child's parents, stepparents, guardians, or other persons having custody of the child;
- (3) The nature and extent of the child's injury or injuries;
- (4) The nature and extent of the ~~((child's physical))~~ neglect of the child;
- (5) The nature and extent of the sexual abuse;
- (6) Any evidence of previous injuries, including their nature and extent; and
- (7) Any other information which may be helpful in establishing the cause of the child's death, injury, or injuries and the identity of the perpetrator or perpetrators.

Sec. 5. Section 5, chapter 13, Laws of 1965 as last amended by section 15, chapter 302, Laws of 1971 ex. sess. and RCW 26.44.050 are each amended to read as follows:

Upon the receipt of a report concerning the possible ~~((nonaccidental infliction of a physical injury upon a child or physical neglect, or sexual abuse))~~ occurrence of child abuse or neglect, it shall be the duty of the law enforcement agency or juvenile court officer or the department of social and health services to investigate and provide ~~((child welfare services))~~ the child protective services section with a report in accordance with the provision of chapter 74.13 RCW, and where necessary to refer such report to the court. Notwithstanding the provisions of RCW 13.04.130 as now or hereafter amended, the law enforcement agency or the department of social and health services investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child at the time the child was taken into custody.

Sec. 6. Section 6, chapter 13, Laws of 1965 and RCW 26.44.060 are each amended to read as follows:

~~((Any person participating in the making of a report pursuant to this chapter or participating in a judicial proceeding resulting therefrom shall in so doing be immune from any civil liability that might otherwise be incurred or imposed. That the provisions of this chapter heretofore provided shall not be deemed violation of the patient-physician relationship or confidence.))~~ (1) Any person participating in good faith in the making of a report pursuant to this chapter or testifying as to alleged child abuse or neglect in a judicial proceeding shall in so doing be immune from any criminal or civil liability arising out of such reporting or testifying under any law of this state or its political subdivisions.

(2) An administrator of a hospital or similar institution or any physician licensed pursuant to chapters 18.71 or 18.57 RCW taking a child into custody pursuant to section 9 of this amendatory act shall not be subject to criminal or civil liability for such taking into custody.

(3) Conduct conforming with the reporting requirements of this chapter shall not be deemed a violation of the confidential communication privilege of RCW 5.60.060 (3) and (4) and 18.83.110. Nothing in this chapter shall be construed as to supersede or abridge remedies provided in chapter 4.92 RCW.

Sec. 7. Section 6, chapter 35, Laws of 1969 ex. sess. as amended by section 1, chapter 46, Laws of 1972 ex. sess. and RCW 26.44.070 are each amended to read as follows:

The department shall maintain a central registry of reported cases of child abuse and shall adopt such rules and regulations as necessary in carrying out the provisions of this section. Records in the central registry shall be considered confidential and privileged and will not be available except upon court order to any person or agency except (1) law enforcement agencies as defined in this chapter ~~((and, to those professionals, defined by rules and regulations, who might be treating the child and/or family, provided, that such law enforcement agencies and professionals))~~ in the course of an investigation of alleged child abuse or neglect; (2) to child protective services workers or juvenile court personnel who are investigating

reported incidences of child abuse or neglect; (3) physicians who are treating the child or family; (4) any child named in the registry who is alleged to be abused or neglected, or his or her guardian ad litem and/or attorney; (5) a parent, guardian, or other person legally responsible for the welfare and safety of the child named in the registry; (6) any person engaged in a bona fide research purpose, as determined by the department, according to rules and regulations, provided that information identifying the persons of the registry shall remain privileged; and (7) any individual whose name appears on the registry shall have access to his own records. Those persons or agencies exempted by this section from the confidentiality of the records of the registry shall not further disseminate or release such information so provided to them and shall respect the confidentiality of such information, and any violation of this section shall constitute a misdemeanor.

**NEW SECTION.** Sec. 8. There is added to chapter 26.04 RCW a new section to read as follows:

(1) In any judicial proceeding in which it is alleged that a child has been subjected to child abuse or neglect the court shall appoint a guardian ad litem for the child: **PROVIDED**, That the requirement of a guardian ad litem shall be deemed satisfied if the child is represented by counsel in the proceedings.

(2) At any time prior to or during a hearing in such a case, the court may, on its own motion, or the motion of the guardian ad litem, or other parties, order the examination by a physician, psychologist or psychiatrist, of any parent or child or other person having custody of the child at the time of the alleged child abuse or neglect, if the court finds such an examination is necessary to the proper determination of the case. The hearing may be continued pending the completion of such examination. The physician, psychologist or psychiatrist conducting such an examination may be required to testify in the dispositional hearing concerning the results of such examination and may be asked to give his opinion as to whether the protection of the child requires that he not be returned to the custody of his parents or other persons having custody of him at the time of the alleged child abuse or neglect. The rules of evidence as provided by law shall apply to such testimony except that the physician, psychologist or psychiatrist shall be allowed to testify to conclusions reached from the hospital, medical, psychological or laboratory records, tests or reports: **PROVIDED**, That the same are produced at the hearing. Persons so testifying shall be subject to cross-examination as are other witnesses. No evidence acquired as a result of any such examination of the parent or any other person having custody of the child may be used against such person in any subsequent criminal proceedings against such person or custodian concerning the abuse or neglect of the child.

(3) A parent or other person having legal custody of a child alleged to be a child subjected to abuse or neglect shall be a party to any proceeding that may as a practical matter impair or impede such person's interest in custody or control of his or her child.

**NEW SECTION.** Sec. 9. There is added to chapter 26.44 RCW a new section to read as follows:

An administrator of a hospital or similar institution or any physician, licensed pursuant to chapters 18.71 or 18.57 RCW, may detain a child without consent of a person legally responsible for the child whether or not medical treatment is required, if the circumstances or conditions of the child are such that the detaining individual has reasonable cause to believe that permitting the child to continue in his or her place of residence or in the care and custody of the parent, guardian, custodian or other person legally responsible for the child's care would present an imminent danger to that child's health and safety: **PROVIDED**, That such administrator or physician shall immediately notify or cause to be notified the appropriate law enforcement agency or juvenile court officer pursuant to section 4 of this amendatory act and request immediate transfer of custody. Such temporary protective custody by an administrator or doctor shall not be deemed an arrest and shall continue only until supervisory custody is assumed by the appropriate law enforcement agency or juvenile court.

**NEW SECTION.** Sec. 10. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On line 1 of the title, after "abuse", beginning with the semicolon strike the remainder of the title and insert "and neglect; amending section 1, chapter 13, Laws of 1965 as amended by section 1, chapter 35, Laws of 1969 ex. sess. and RCW 26.44.010; amending section 2, chapter 13, Laws of 1965 as amended by section 2, chapter 35, Laws of 1969 ex. sess. and RCW 26.44.020; amending section 3, chapter 13, Laws of 1965 as last amended by section 1, chapter 167, Laws of 1971 ex. sess. and RCW 26.44.030; amending section 4, chapter 13, Laws of 1965 as last amended by section 2, chapter 167, Laws of 1971 ex. sess. and RCW 26.44.040; amending section 5, chapter 13, Laws of 1965 as last amended by section 15, chapter 302, Laws of 1971 ex. sess. and RCW 26.44.050; amending section 6, chapter 13, Laws of 1965 and RCW 26.44.060; amending section 6, chapter 35, Laws of 1969 ex. sess. as amended by section 1, chapter 46, Laws of 1972 ex. sess. and RCW 26.44.070; and adding new sections to chapter 26.44 RCW."

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Gaspard, Hanna, Hayner, Maxie, Patterson.

To Committee on Rules for second reading.

May 7, 1975

ENGROSSED SENATE BILL NO. 2913, Prime Sponsor: Senator McDermott, permitting university medical graduates of foreign medical schools or colleges to become physician assistants for a limited number of years. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 3 after "dollars" strike all material down to and including "assistant" on line 9

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Deccio, Fischer, Fortson, Greengo, Hendricks, Paris, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Thompson, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 231, by Representatives Wojahn, Brown, Bender, King, Erickson, Ehlers, Hawkins and Parker (by Superintendent of Public Instruction request):

Mandating certain school districts to divide into director districts and providing for election of directors thereunder.

The bill was read the third time and placed on final passage.

Mrs. Wojahn spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Bond.

Mr. Bond: "It's my understanding that the existing situation, without this bill, allows the school districts to select their own procedure—their own methods; in other words, they could choose to be a director district or they could choose to be at large. Is that correct?"

Mr. Bauer: "There is a provision that would allow a school district to organize into director districts if the county committee so desires and initiates that action. Generally that doesn't happen and so you really don't have anything here that's mandatory at all. We're having those problems in those districts; the county committee is sympathetic with those people who don't want to change their situation and consequently have nothing. This is absolutely necessary to achieve the objectives which are the original intent of the bill."

Mr. Bond: "Under this bill, would this not require that districts be director districts?"

Mr. Bauer: "No, it provides for a petitioning process of ten percent of the people who voted at the last general election to petition to have this take place and then it calls for an election so really you have all the safeguards in the world. Any district that goes into a director district—certainly, the intent is there and there has to be a lot of support for it."

Representatives Brown, Parker and Bauer spoke in favor of passage of the bill, and Representatives Bond, Polk and Hayner spoke against it.

Mr. Charette demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 231, and the bill passed the House by the following vote: Yeas, 57; nays, 31; not voting, 10.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Juelling, Kilbury, King, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Sherman, Shipoch, Smith R., Sommers, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Curtis, Deccio, Eikenberry, Flanagan, Freeman, Greengo, Hansey, Hayner, Hendricks, Hurley M., Leckenby, Lee, Luders, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Seeberger, Smith E. P., Thompson, Tilly, Whiteside.

Not voting: Representatives Bagnariol, Bausch, Dunlap, Haley, Kalich, Knowles, Kuehnle, Randall, Savage, Zimmerman.

Engrossed House Bill No. 231, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 536, by Representatives Ceccarelli, Blair, Chatalas, Bagnariol and McCormick:

Providing for regulation of health care service contractors.

The bill was read the third time and placed on final passage.

Representatives Ceccarelli, Parker and Deccio spoke in favor of the bill, and Representatives Pardini and Barnes spoke against it.

Mr. Ehlers demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 536, and the bill passed the House by the following vote: Yeas, 62; nays, 28; not voting, 8.

Voting yea: Representatives Adams, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Haussler, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Leckenby, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Paris, Parker, Perry, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Thompson, Valle, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gilleland, Hansey, Hawkins, Hayner, Lee, Moon, Newhouse, Pardini, Patterson, Polk, Randall, Schumaker, Smith R., Sommers, Tilly, Williams.

Not voting: Representatives Bagnariol, Dunlap, Haley, Knowles, Kuehnle, Matthews, Maxie, Zimmerman.

Engrossed House Bill No. 536, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 720, by Committee on Higher Education (Originally sponsored by Representatives Moreau, Becker, Conner, Maxie, Hansey, Nelson, Berentson and Luders):

Authorizing state colleges to offer degrees which accurately reflect the subject matter of the study programs.

The bill was read the third time and placed on final passage.

Mr. Moreau spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Moreau yielded to question by Mr. Newhouse.

Mr. Newhouse: "As I would interpret this bill, it would authorize the three colleges to issue masters degrees in areas where they have not up until now been able to issue those degrees. In fact, up until now the legislature has had to statutorily approve any master's degree that they could award, is that correct?"

Mr. Moreau: "They would not be able to grant new degrees on this new program without first receiving the review and recommendation from the Council on Higher Education and if it were determined that an additional fiscal impact were to come about, then it also requires the approval of the legislature."

Mr. Shinpoch spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 720, and the bill passed the House by the following vote: Yeas, 84; nays, 4; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Jueling, Lee, Shinpoch, Whiteside.

Not voting: Representatives Bagnariol, Douthwaite, Dunlap, Haley, Knowles, Kuehnle, Newhouse, Patterson, Randall, Zimmerman.

Engrossed Second Substitute House Bill No. 720, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 774, by Representative Warnke:

Regulating and licensing massage businesses.

The bill was read the third time and placed on final passage.

Mr. O'Brien spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 774, and the bill passed the House by the following vote: Yeas, 86; nays, 5; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Matthews, Moon, Parker, Williams, Wojahn.

Not voting: Representatives Bagnariol, Dunlap, Haley, Knowles, Kuehnle, Randall, Zimmerman.

Engrossed House Bill No. 774, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 827, by Representatives King and Brown (Originally sponsored by Representatives King, Lysen, Brown, Knowles, Erickson and Chandler):

Providing changes in public disclosure provisions.

The bill was read the third time and placed on final passage.

Representatives King, Charette, Newhouse and Brown spoke in favor of passage of the bill, and Representatives Hurley (George), Blair and Charnley spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 827, and the bill passed the House by the following vote: Yeas, 74; nays, 18; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Becker, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kilbury, King, Laughlin, Leckenby, Luders, Lysen, Matthews, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bausch, Bender, Blair, Charnley, Eikenberry, Eng, Gaines, Greengo, Hurley G. S., Kalich, Lee, Martinis, Maxie, Moon, Paris, Peterson, Shipoch, Warnke.

Not voting: Representatives Bagnariol, Dunlap, Haley, Knowles, Kuehnle, Zimmerman.

Engrossed Second Substitute House Bill No. 827, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Dunlap, Haley, Kalich, Knowles and Kuehnle. Representatives Haley, Knowles and Kuehnle were excused.

## THIRD READING

ENGROSSED SENATE BILL NO. 2242 as amended by the House, by Senators Henry and Marsh:

Changing membership of Columbia River Gorge Commission, defining its duties, and describing area of the commission's jurisdiction.

The bill was read the third time and placed on final passage.

Mr. Laughlin spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2242 as amended by the House, and the bill passed the House by the following vote: Yeas, 73; nays, 8; not voting, 17.

Voting yea: Representatives Adams, Amen, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eng, Freeman, Hayner, Juelling, Matthews, Newhouse, Polk, Schumaker.

Not voting: Representatives Bagnariol, Barnes, Becker, Bond, Chandler, Charnley, Chatalas, Conner, Dunlap, Haley, Hanna, Kalich, Knowles, Kuehnle, Luders, Thompson, Williams.

Engrossed Senate Bill No. 2242 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE GOVERNOR

May 9, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 8, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 131: Requiring only that a school district make reasonable effort to maintain minimum term of school required by law in lieu of dissolution of such district.

HOUSE BILL NO. 474: Authorizing cities to provide ambulance services and impose taxes for the support thereof.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

## MESSAGE FROM THE SENATE

May 9, 1975

Mr. Speaker:

The President has signed:

## HOUSE BILL NO. 130,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

May 8, 1975

HOUSE BILL NO. 552, Prime Sponsor: Representative Thompson, requiring certification of major energy facilities. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Ceccarelli, Chandler, Charnley, Clemente, Conner, Douthwaite, Dunlap, Gaines, Gallagher, Hansen, Hayner, Laughlin, Leckenby, Lee, Lysen, Martinis, McCormick, Patterson, Seeberger, Sherman, Wilson.

MINORITY recommendation: Do not pass the substitute bill. Signed by Representatives Bond, Schumaker.

To Committee on Rules for second reading.

May 8, 1975

HOUSE BILL NO. 1007, Prime Sponsor: Representative Bagnariol, setting salaries for elected public officials. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and that the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Curtis, Ehlers, Flanagan, Gaspard, Luders, McKibbin, Smith (Edward), Valle, Warnke.

## MOTION

On motion of Mr. Charette, the rules were suspended, Second Substitute House Bill No. 1007 was substituted for House Bill No. 1007, and the second substitute bill was ordered placed on Monday's second reading calendar.

## SECOND READING

HOUSE BILL NO. 219, by Representatives Pardini, Charette, Curtis, Laughlin and Smith (Edward) - by Office of Program Planning and Fiscal Management request:

Authorizing state general obligation bonds to fund community college capital projects previously approved by the legislature.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 219 was substituted for House Bill No. 219, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 219 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 219 was placed on final passage.

Mr. Shinpoch spoke to the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 219, and the bill passed the House by the following vote: Yeas, 86; nays, 1; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussier, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representative Maxie.



Not voting: Representatives Dunlap, Eng, Haley, Kalich, Knowles, Kuehnle, Luders, Parker, Polk, Thompson, Zimmerman.

Substitute House Bill No. 219, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Eikenberry: "Where on the calendar is Engrossed Substitute Senate Bill No. 2715?"

The Speaker (Mr. O'Brien presiding): "It's on the calendar at the bottom of second reading of Senate bills."

#### MOTION

Mr. Eikenberry moved that Engrossed Substitute Senate Bill No. 2715 be placed on the second reading calendar for immediate consideration.

Mr. Eikenberry spoke in favor of the motion, and Mr. Charette spoke against it.

The Speaker assumed the Chair.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Newhouse.

Mr. Newhouse: "The question involved in Engrossed Substitute Senate Bill No. 2715 is the preliminary budget of school districts, which, according to statute, must be submitted by the 10th of May. Tomorrow being the 10th of May, if this bill is to pass and become effective, obviously it should be today. Can the questions you mentioned be resolved if we consider this bill during this afternoon's session?"

Mr. Charette: "I'm not sure whether they can be resolved this afternoon, but if you want to take a look at your RCW you might read 28A.65.075, which indicates that school districts can adopt a preliminary budget if the legislature has not passed a budget. That was a law that was enacted in 1971. When this statute came to our attention, and a number of other statutes, we thought that we should hold this bill until we get the answers to these questions. Engrossed Substitute Senate Bill No. 2715 doesn't seem to be amending this portion of the statute and that question should be answered also. I guess what I'm saying is—maybe."

Mr. Pardini spoke in favor of the motion.

#### SPEAKER'S ADMONITION

The Speaker: "Representative Pardini, we are talking about a motion to advance Engrossed Substitute Senate Bill No. 2715 and I don't know where it has anything to do with riffing. Let's talk about the bill. I've seen your amendment and it's so far beyond the scope, I don't know what you're wasting our time for."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "It's probably a probable point of parliamentary inquiry, but is it the Speaker's intention to rule any amendments to Engrossed Substitute Senate Bill No. 2715 that are now sitting on the desk, as beyond the scope and object of the bill?"

The Speaker: "I'm not ruling on it; I just said I had looked at it and it looks so far beyond that it would very difficult to hold it within the scope. If it comes up, I'll be happy to rule on it."

Mr. Pardini continued his remarks in favor of the motion by Mr. Eikenberry.

#### POINT OF ORDER

Mr. Charette: "The present speaker is talking about something 'pulled out of the hat.' It was pulled out of the Revised Code of Washington which are the official laws of the state of Washington, passed by the 1971 session. If the speaker wants me to look it up, I can determine whether or not he voted for that statute."

The Speaker: "Your point of order is well taken."

Mr. Pardini continued his remarks in favor of the motion.

Representatives Polk and Nelson spoke in favor of the motion, and Representatives Moon and Bauer spoke against it.

The motion was lost.

#### MOTION

Mr. Newhouse moved that the Rules Committee be relieved of House Bill No. 1025 and that it be placed on the second reading calendar.

Mr. Newhouse spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to relieve Rules Committee of House Bill No. 1025 and place it on the calendar for second reading, and the motion was lost by the following vote: Yeas, 30; nays, 60; not voting, 8.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Jueling, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kilbury, King, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Dunlap, Haley, Kalich, Knowles, Kuehne, Leckenby, Parker, Zimmerman.

#### MOTION FOR RECONSIDERATION

Mr. Eikenberry, having voted on the prevailing side, moved that the House reconsider the vote by which the motion to relieve Rules Committee of House Bill No. 1025 and place it on the second reading calendar, failed to carry.

Representatives Eikenberry and Hansey spoke in favor of the motion, and Representatives Charette and Luders spoke against it.

#### MOTION

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Monday, May 12, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SIXTIETH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Monday, May 12, 1975.

The House was called to order at 10:30 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Flanagan, Kuehnle and Laughlin. Representatives Flanagan and Kuehnle were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Paige Denslow and Ron Green. Prayer was offered by Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

May 9, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2737,  
SUBSTITUTE SENATE BILL NO. 2966,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 9, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2024,  
SENATE BILL NO. 2218,  
SENATE BILL NO. 2297,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 9, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 139,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 385, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

### REPORT OF CONFERENCE COMMITTEE

May 8, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 385, increasing the assessment per head on cattle, have had the same under consideration, and we recommend that we cannot agree on the following Senate amendment:

On page 1, line 8 after "sale:" and before ", That," insert "PROVIDED, That on July 1, 1977, the assessment of twenty cents per head shall be reduced to ten cents per head, and at that time the director may, following a hearing subject to the Administrative Procedures Act, RCW 34.04, increase the assessment to not more than twenty cents per head: PROVIDED FURTHER"

We, therefore, respectfully request powers of Free Conference for the purpose of submitting the following substitute amendment:

On page 1, line 8 after "sale:" strike "PROVIDED" and insert "PROVIDED, That on July 1, 1977 the assessment of twenty cents per head shall be reduced to ten cents per head, unless the director finds, after a hearing held in accordance with the Administrative Procedures Act, RCW 34.04, which shall be held at least sixty days prior to July 1, 1977, that the assessment should be otherwise, but in no instance may such assessment exceed twenty cents per head: PROVIDED FURTHER"

Signed by Senators Benitz, Jolly and Wilson; Representatives Amen, Hansen and Kilbury.

#### MOTION

On motion of Mr. Kilbury, the Conference Committee report was adopted, and the powers of Free Conference were granted.

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2386, by Senators Guess, Keefe, Donohue and Lewis (R. H. "Bob"):

Amending the laws providing for licensing of snowmobiles and providing for the distribution of such fees.

To Committee on Parks and Recreation

ENGROSSED SUBSTITUTE SENATE BILL NO. 2737, by Committee on Local Government (Originally sponsored by Senator Walgren):

Authorizing an alternative method for the ownership, operation and financing of public systems of sewage and water.

To Committee on Local Government

SUBSTITUTE SENATE BILL NO. 2966, by Committee on Local Government (Originally sponsored by Senator Sellar):

Allowing fire districts to authorize and issue local improvement bonds and warrants.

To Committee on Local Government

#### REPORTS OF STANDING COMMITTEES

May 8, 1975

HOUSE BILL NO. 108, Prime Sponsor: Representative Patterson, increasing fee for duplicate license. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Barnes, Berentson, Ceccarelli, Chandler, Clemente, Douthwaite, Gaines, Gallagher, Gilleland, Hansen, Hayner, Laughlin, Lee, Patterson, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

May 9, 1975

HOUSE BILL NO. 589, Prime Sponsor: Representative King, making agricultural labor subject to unemployment compensation. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 2, line 2 after "labor:" strike everything down to and including "date." on line 17  
On page 1, line 3 of the title after ".150;" strike everything down to and including "RCW;" on line 4

Signed by Representatives Savage, Chairman; McKibbin, Vice Chairman; Cochrane, King, May, Parker.

To Committee on Rules for second reading.

May 8, 1975

HOUSE BILL NO. 692, Prime Sponsor: Representative Hansen, amending distribution of drivers' license fees revenue. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Berentson, Ceccarelli, Chandler, Clemente, Gaines, Gallagher, Gilleland, Hansen, Laughlin, Lee, McCormick, Patterson, Seeberger, Wilson.

To Committee on Rules for second reading.

May 6, 1975

HOUSE BILL NO. 810, Prime Sponsor: Representative Randall, authorizing a deduction from amounts subject to B & O taxation for revenues from services related to sales of travel tickets. Reported by Committee on Ways and Means - Revenue.

**MAJORITY recommendation: Do pass with the following amendments:**

On page 1, strike all of section 1 (beginning on page 1 and ending on page 3) and insert the following: "Section 1. Section 82.04.260, chapter 15, Laws of 1961 as last amended by section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of one-quarter of one percent.

(4) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of one-eighth of one percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of three-tenths of one percent.

(6) Upon every person engaging within this state in the business of manufacturing aluminum pig, ingot, billet, plate, sheet (flat or coiled), rod, bar, wire, cable or extrusions; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of four-tenths of one percent.

(7) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of forty-four one-hundredths of one percent.

(8) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of thirty-three one-hundredths of one percent.

(9) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of twenty-five one-hundredths of one percent.

(10) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of twenty-five one-hundredths of one percent.

(11) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of twenty-five one-hundredths of one percent."

In line 1 of the title, after the semicolon after "taxation" strike all of the matter down to and including the period after "RCW 82.04.430" in line 3 and insert "and amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260."

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Brown, Hawkins, Hurley (George), Kilbury, Moreau, Nelson, Sommers.

To Committee on Rules for second reading.

May 8, 1975

HOUSE CONCURRENT RESOLUTION NO. 7, Prime Sponsor: Representative Hanna, directing department of social and health services to drop matching fund requirements for financing of care facilities. Reported by Committee on Social and Health Services.

**MAJORITY recommendation: Do pass with the following amendment:**

On page 1, line 14 after "29;" strike all material down to and including "facilities; and" on line 21 and insert:

"NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, the Senate concurring, That the Department of Social and Health Services be authorized to grant waivers from the local match

requirements of the Referendum 29 administrative guidelines as published in August, 1974. Such waivers may be granted at the discretion of the Secretary or his assignee with the consent of the Ways and Means Committees of the Senate and the House of Representatives when the Legislature is in session, and the Legislative Budget Committee when the Legislature is adjourned. The Secretary may require applicants to provide such documentation in support of any request for waiver as may be deemed reasonable and prudent in the circumstances, and the Secretary will not unreasonably withhold such waivers in the best interests of the program and the intent of this resolution; and"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Deccio, Greengo, Hendricks, Paris, Tilly, Whiteside.

To Committee on Rules for second reading.

May 9, 1975

SENATE BILL NO. 2071, Prime Sponsor: Senator Bottiger, increasing fees for service in process. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 10 after "traveled," strike "~~((two))~~ three" and insert "two"

On page 2, line 12 after "~~((two))~~" strike "three" and insert "one"

On page 2, beginning on line 12 after "page and" strike "~~((one))~~ two dollars" and insert "~~((one-dollar))~~ fifty cents"

On page 2, beginning on line 31 after "found," strike "~~((two))~~ three dollars and fifty cents" and insert "two dollars"

On page 2, line 34 after "mileage" insert ";" and add a new paragraph as follows:

"For conducting sale of personal property pursuant to exemption or order of sale, five dollars"

Signed by Representatives Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hayner, Maxie, Sherman.

To Committee on Rules for second reading.

May 9, 1975

SENATE BILL NO. 2111, Prime Sponsor: Senator Francis, creating position of warrant server and defining authority thereof in municipal courts of cities of more than five hundred thousand inhabitants. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, Sherman.

To Committee on Rules for second reading.

May 8, 1975

ENGROSSED SENATE BILL NO. 2146, Prime Sponsor: Senator Donohue, establishing procedures for granting increases in firemen and police pension benefits. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Boldt, Chatalas, Ehlers, Flanagan, Gaspard, Luders, McKibbin, Smith (Edward), Smith (Rick), Valle, Warnke.

To Committee on Rules for second reading.

May 6, 1975

ENGROSSED SENATE BILL NO. 2619, Prime Sponsor: Senator Day, providing a state-wide medical education system for family practice training. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Boldt, Curtis, Luders, McKibbin, Smith (Edward), Smith (Rick), Valle, Warnke.

To Committee on Rules for second reading.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. Charette presiding) called the House to order.

#### SECOND READING

The Speaker (Mr. Charette presiding) stated the question before the House to be the motion by Representative Eikenberry for reconsideration of the vote by which the House

refused to relieve the Committee on Rules of House Bill No. 1025 and place it on the second reading calendar.

Representatives Eikenberry, Greengo, Lee and Peterson spoke in favor of the motion, and Representatives Thompson and Pardini spoke against it.

Mr. Eikenberry withdrew the motion.

HOUSE BILL NO. 972, by Representatives Adams, Pardini and Hanna:

Authorizing bonds for social and health services facilities.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 972 was substituted for House Bill No. 972, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 972 was read the second time.

On motion of Mr. Shinpoch, the following amendment was adopted:

On page 1, line 13 strike "thirty-four million, five hundred six thousand, two hundred and sixty dollars" and insert "thirty-four million, eight hundred six thousand, two hundred and sixty dollars"

Substitute House Bill No. 972 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 972 was placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 972, and the bill passed the House by the following vote: Yeas, 83; nays, 9; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Haley, Hawkins, Matthews, Newhouse, Randall, Schumaker, Smith R., Williams.

Not voting: Representatives Eikenberry, Flanagan, Kuehnlé, Laughlin, Maxie, and Mr. Speaker.

Engrossed Substitute House Bill No. 972, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien assumed the Chair.

HOUSE BILL NO. 1091, by Representatives Chatalas, Polk and Greengo:

Authorizing general obligation bond issue of state for University of Washington hospital facilities in lieu of university revenue bonds.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 1091 was substituted for House Bill No. 1091, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1091 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1091 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1091, and the bill passed the House by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins,

Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipnuch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Cochrane, Haley, Leckenby, Schumaker, Williams.

Not voting: Representatives Flanagan, Kuehnle, Laughlin, Maxie, and Mr. Speaker.

Substitute House Bill No. 1091, having received the constitutional majority was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 762, by Representatives North and Peterson:

Establishing winter recreational parking.

The bill was read the second time.

On motion of Mrs. Hurley (Margaret), Substitute House Bill No. 762 was substituted for House Bill No. 762, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 762 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 762 was placed on final passage.

Mrs. North spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 762, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnuch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Hawkins, Lysen.

Not voting: Representatives Flanagan, Kuehnle, Laughlin, Maxie, and Mr. Speaker.

Substitute House Bill No. 762, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1031, by Representative Haussler:

Reducing number of district court judges in Lincoln county from two to one.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1031 was placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1031, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnuch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Pardini.

Not voting: Representatives Eikenberry, Flanagan, Hurley G. S., Kuehnle, Laughlin, Maxie, Parker, Polk, and Mr. Speaker.



House Bill No. 1031, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE JOINT MEMORIAL NO. 24**, by Representatives Tilly, Whiteside, Chandler, Kilbury and Newhouse:

Requesting that the apple blossom be designated the national flower.

The memorial was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 24 was placed on final passage.

Mr. Tilly spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on final passage of House Joint Memorial No. 24, and the memorial passed the House by the following vote: Yeas, 65; nays, 22; not voting, 11.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Clemente, Cochrane, Conner, Deccio, Dunlap, Ehlers, Erickson, Fischer, Fortson, Freeman, Gaines, Greengo, Haley, Hanna, Hansen, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Juelling, Kalich, Kilbury, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, May, McCormick, Moreau, Nelson, Newhouse, North, O'Brien, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Warnke, Whiteside, Zimmerman.

Voting nay: Representatives Amen, Charnley, Chatalas, Douthwaite, Eikenberry, Eng, Gallagher, Gaspard, Gilleland, Hansey, Hawkins, Jastad, King, Matthews, McKibbin, Moon, Paris, Parker, Patterson, Sherman, Wilson, Wojahn.

Not voting: Representatives Curtis, Flanagan, Kuehne, Laughlin, Maxie, Pardini, Perry, Smith R., Valle, Williams, and Mr. Speaker.

House Joint Memorial No. 24, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 294**, by Representatives Conner, Matthews, McCormick, Bauer, Ceccarelli, Gaspard and Laughlin:

Making miscellaneous changes in credit union laws.

The bill was read the second time.

On motion of Mr. Conner, Substitute House Bill No. 294 was substituted for House Bill No. 294, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 294 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 294 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 294, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Pardini.

Not voting: Representatives Flanagan, Kuehne, Laughlin, Maxie, and Mr. Speaker.

Substitute House Bill No. 294, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Charette, the House advanced to the seventh order of business.

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 91, by Committee on Commerce (Originally sponsored by Representatives Fischer, Jastad and Wojahn):

Enacting a hazardous substance act.

The bill was read the third time and placed on final passage.

Mr. Fischer spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 91, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Flanagan, Kuehne, Laughlin, Maxie.

Substitute House Bill No. 91, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 441, by Representatives Thompson and Zimmerman:

Amending the Environmental Coordination Procedures Act of 1973.

The bill was read the third time and placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 441, and the bill passed the House by the following vote: Yeas, 87; nays, 6; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Leckenby, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Eikenberry, Gilleland, Lee, Matthews, Schumaker.

Not voting: Representatives Flanagan, Jueling, Kuehne, Laughlin, Maxie.

Engrossed House Bill No. 441, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 378, by Committee on State Government (Originally sponsored by Representatives Moon, Pardini, Jastad, May, Haussler, Thompson, Douthwaite, Paris and Ceccarelli):

Prescribing procedures for the collection, analysis, and reporting of statistical information on file by the state fire marshal.

The bill was read the third time and placed on final passage.

Representatives Moon, Pardini, Ceccarelli and Ehlers spoke in favor of the bill, and Representatives Curtis and Berentson spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 378, and the bill passed the House by the following vote: Yeas, 58; nays, 36; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, King, Luders, Lysen, Martinis, May, McCormick, Moon, Moreau, Nelson, O'Brien, Pardini, Parker, Perry, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Juelling, Kalich, Knowles, Leckenby, Lee, Matthews, McKibbin, Newhouse, North, Paris, Patterson, Polk, Randall, Schumaker, Sommers, Tilly, Zimmerman.

Not voting: Representatives Hanna, Kuehnle, Laughlin, Maxie.

Engrossed Substitute House Bill No. 378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 1100**, by Committee on Transportation and Utilities (Originally sponsored by Representatives Gaspard and North):

Permitting local governments greater latitude in establishing utility rates.

The bill was read the third time and placed on final passage.

Mr. Gaspard spoke in favor of the bill, and Mr. Blair spoke against it.

## POINT OF INQUIRY

Mr. Gaspard yielded to question by Mr. Eikenberry.

Mr. Eikenberry: "My question to you is with regard to the language being added to the law which says that the effects may be varied by the local utility according to 'conditions of low income and age of the customer.' Representative Gaspard, for the express purpose of establishing in the record the intent of this body, is it your intent to link these two requirements together and particularly, what category of person are we addressing here?"

Mr. Gaspard: "It is the intent to link these two requirements, low income and age, as one requirement. The intent, in drafting this bill, is to get a senior-citizen type of discount for a senior citizen who is in a low income bracket, very similar to what we do right now for property tax discount relief."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1100, and the bill passed the House by the following vote: Yeas, 69; nays, 27; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Perry, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Bond, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Juelling, Kalich, Leckenby, Lee, Matthews, Newhouse, Patterson, Peterson, Polk, Randall, Schumaker, Smith R., Sommers, Tilly, Whiteside.

Not voting: Representatives Kuehnle, Laughlin.

Substitute House Bill No. 1100, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 1143**, by Representative Maxie:

Authorizing issuance of bonds for certain community college projects.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 1143 was substituted for House Bill No. 1143, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1143 was read the second time.

Mr. Shinpoch moved adoption of the following amendment:

On page 1, line 27 after "thereto." insert "It is the intent of the legislature that in any decision to contract for capital projects funded as the result of this act, full and fair consideration shall be given to minority contractors."

Mr. Shinpoch spoke in favor of the amendment, and Mr. Polk spoke against it.

Mr. Shinpoch spoke again in favor of the amendment.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, once the House would adopt an amendment here on the floor it would be my understanding that we could not then take another amendment to do just the reverse action, could we?"

The Speaker (Mr. O'Brien presiding): "We would have to take a look at what the amendment comprised, Representative Polk. Ordinarily it wouldn't probably be classified as germane."

Mr. Polk: "I appreciate what Representative Shinpoch is trying to do as committee chairman, to keep straight with a drafting error in an amendment that was sent over from one committee to another committee. He is attempting to keep faith with the committee system and keep the amendments in there, but my point is that if he is successful in adopting that amendment here on the floor, then I am precluded from the exact reverse amendment to not adopt that amendment, am I not?"

The Speaker (Mr. O'Brien presiding): "Ordinarily yes, it would be a violation of Reed's Rules."

Mr. Conner demanded an electric roll call and the demand was sustained.

Representatives Maxie, Perry and Charette spoke in favor of the amendment, and Mr. Pardini spoke against it.

#### POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Charnley.

Mr. Charnley: "I remember discussing this question in Higher Education Committee and I don't quite recall the total discussion. I wonder if you could clarify my memory and help the House in understanding what the relationship is between contractors who are on a list, who are being asked to bid, and what the effect of this amendment would have on them?"

Mr. Perry: "Really what we are dealing with here is—this is a part of state law, but the qualification of what we are dealing with in this amendment is that we recognize, and the government recognizes (the federal government, the state government and the local government) that some minority contractors, for one thing, are not large enough to attempt to take any of these jobs on; so what we are specifically trying to accomplish is that these contractors be given a small piece of work, similar to the SEA type of work, and that they get a chance to perform. To date, with all of the laws that are in effect and all of the years we have had these laws, there have been virtually no minority people working and I think that this amendment will go a great way toward correcting that."

Mr. Hurley (George) spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Shinpoch to Substitute House Bill No. 1143, and the amendment was adopted by the following vote: Yeas, 81; nays, 13; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Nelson, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson,

Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Curtis, Flanagan, Gilleland, Haley, Juelling, Matthews, Pardini, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Kuehnle, Laughlin, Moreau, Newhouse.

Substitute House Bill No. 1143 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1143 was placed on final passage.

Ms. Maxie spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1143, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Haley, Leckenby.

Not voting: Representatives Deccio, Kuehnle, Laughlin, Williams.

Engrossed Substitute House Bill No. 1143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

I would like the record to show that I wished to vote "Yea" on Engrossed Substitute House Bill No. 1143. I had erroneously assumed that we were voting on House Bill No. 1146.

BILL LECKENBY, 34th District.

HOUSE BILL NO. 1146, by Representative Maxie:

Authorizing bonds for financing of Washington State University facilities.

The bill was read the second time.

On motion of Mr. Shinpoch, Second Substitute House Bill No. 1146 was substituted for House Bill No. 1146, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1146 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 1146 was placed on final passage.

Ms. Maxie spoke to the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1146, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Chandler, Haley, Leckenby, Maxie.

Not voting: Representatives Kuehnle, Laughlin, Sommers, Williams.

Second Substitute House Bill No. 1146, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Pardini moved that the Rules Committee be relieved of HOUSE BILL NO. 977, and that the bill be placed on the second reading calendar for immediate consideration.

Mr. Pardini spoke in favor of the motion, and Mr. Charette spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Representatives Curtis and Polk spoke in favor of the motion, and Mr. Leckenby spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Pardini to relieve Rules Committee of House Bill No. 977 and place it on the calendar for immediate consideration, and the motion was lost by the following vote: Yeas, 12; nays, 81; not voting, 5.

Voting yea: Representatives Bond, Brown, Curtis, Gilleland, Greengo, Haley, Hendricks, Lee, Matthews, Nelson, Pardini, Polk.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Chandler, Eikenberry, Kuehnle, Laughlin.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 139,  
SENATE BILL NO. 2024,  
SENATE BILL NO. 2218,  
SENATE BILL NO. 2297.

#### MOTIONS

On motion of Mr. Charette, all bills passed by the House during the morning session were ordered transmitted immediately to the Senate.

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Kuehnle and Laughlin. Representative Kuehnle was excused.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Charette, the House advanced to the eighth order of business.

#### MOTIONS

On motion of Mr. Charette, HOUSE JOINT RESOLUTION NO. 45 was rereferred to Committee on Rules.

Mr. Charette moved that ENGROSSED SUBSTITUTE SENATE BILL NO. 2715 be referred to Committee on Education.

## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Pardini.

Mr. Pardini: "Is the purpose of sending this bill to the Education Committee for the amendments that we discussed on Friday, to clarify the particular language in there and to move that bill right back out to help these second class school districts?"

Mr. Charette: "The purpose of sending this bill to the Education Committee is so that we can carry on with the spirit of cooperation between the House Education Committee and Senator Gould, who has been the prime sponsor of this matter, to discuss the proposed amendments that have been presented to the committee, and then to put it back on the calendar for any action that the House as a whole may take."

## POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Bauer, I would like to hear your response to my question."

Mr. Bauer: "Representative Charette was almost exactly correct. The first amendment that came to our mind, that we thought was necessary, was that there was nothing in the bill to provide for the adoption date of June 1st, only the preparation date. Then there are the second and third class school district problems that we want to address. I told Senator Gould that we would have it out of committee tomorrow—if the committee so pleases, of course."

The motion was carried.

## MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Tuesday, May 13, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**SIXTY-FIRST DAY**

---

**MORNING SESSION**

---

House Chamber, Olympia, Wash., Tuesday, May 13, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Kuehnle, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Marcy Gallant and Gordon Olson. Prayer was offered by Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGE FROM THE GOVERNOR**

May 12, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 12, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 104: Restricting the power of state agencies to provide cars to employees.

SUBSTITUTE HOUSE BILL NO. 177: Making changes in laws relating to all-terrain vehicles.

SUBSTITUTE HOUSE BILL NO. 246: Requiring plaintiff in medical malpractice action to prove defendant failed to exercise standard of care of profession.

HOUSE BILL NO. 311: Providing a reinstatement period for a corporation of three years.

HOUSE BILL NO. 544: Clarifying the powers of joint operating agencies (power commission).

Sincerely,  
CHI-DOOH LI, Legal Counsel.

**MESSAGE FROM THE SENATE**

May 12, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2065,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2244,  
SUBSTITUTE SENATE BILL NO. 2654,  
ENGROSSED SENATE BILL NO. 2670,  
ENGROSSED SENATE BILL NO. 2862,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

**INTRODUCTION AND FIRST READING**

ENGROSSED SENATE BILL NO. 2065, by Senators Walgren, Stortini, Keefe and Guess (by Department of Motor Vehicles request):

Revising the definition of habitual traffic offender.

To Committee on Judiciary



ENGROSSED SUBSTITUTE SENATE BILL NO. 2244, by Committee on Judiciary (Originally sponsored by Senators Knoblauch, Guess, Rasmussen and Beck):

Regulating hitchhiking.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 2654, by Committee on Ways and Means (Originally sponsored by Senator Benitz – by Superintendent of Public Instruction request):

Enlarging scope of school use for excise tax on real estate sales.

To Committee on Ways and Means – Revenue

ENGROSSED SENATE BILL NO. 2670, by Senator Rasmussen:

Revising liquor license requirements for common carriers.

To Committee on State Government

ENGROSSED SENATE BILL NO. 2862, by Senator Sellar:

Deleting local government employees from law setting holidays for state employees.

To Committee on Local Government

#### REPORTS OF STANDING COMMITTEES

May 8, 1975

HOUSE BILL NO. 1105, Prime Sponsor: Representative Randall, providing safeguards of historic and ecologically fragile natural areas. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hurley (Margaret), Chairwoman; Lee, Peterson, Randall, Seeberger, Smith (Edward).

To Committee on Rules for second reading.

May 8, 1975

ENGROSSED SENATE BILL NO. 2090, Prime Sponsor: Senator Stortini, making miscellaneous changes in education code. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 25 strike all of section 4 and insert a new section to read as follows: "Sec. 4. Section 3, chapter 10, Laws of 1972 ex. sess. and RCW 28A.58.100 are each amended to read as follows:

Every board of directors, unless otherwise specially provided by law, shall:

(1) Employ for not more than one year, and for sufficient cause discharge all certificated and noncertificated employees, and fix, alter, allow and order paid their salaries and compensation;

(2) Adopt written policies granting leaves to persons under contracts of employment with the school district(s) in positions requiring either certification or noncertification qualifications, including but not limited to leaves for attendance at official or private institutes and conferences and sabbatical leaves for employees in positions requiring certification qualification, and leaves for illness, injury, bereavement, and(;) emergencies for both certificated and noncertificated employees, and with such compensation as the board of directors prescribe: PROVIDED, That the board of directors shall adopt written policies granting to such persons annual leave with compensation for illness, injury and emergencies as follows:

(a) For such persons under contract with the school district for a full year, at least ten days;

(b) For such persons under contract with the school district as part time employees, at least that portion of ten days as the total number of days contracted for bears to one hundred eighty days;

(c) Compensation for leave for illness or injury actually taken shall be the same as the compensation such person would have received had such person not taken the leave provided in this proviso;

(d) Leave provided in this proviso not taken shall accumulate from year to year up to a maximum of one hundred eighty days, and such accumulated time may be taken at any time during the school year;

(e) Sick leave heretofore accumulated under section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) and sick leave accumulated under administrative practice of school districts prior to the effective date of section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) is hereby declared valid, and shall be added to leave for illness or injury accumulated under this proviso;

(f) Accumulated leave under this proviso not taken at the time such person retires or ceases to be employed in the public schools shall not be compensable except in the following manner: Any leave for injury or illness accumulated up to a maximum of forty-five days shall be creditable as service rendered for the purpose of determining the time at which an employee is eligible to retire;

(g) Accumulated leave under this proviso shall be transferred to and from one district to another, the office of superintendent of public instruction and offices of intermediate school district superintendents and boards of education, to and from such districts and such offices;

(h) Leave accumulated by a person in a district prior to leaving said district may, under rules and regulations of the board, be granted to such person when he returns to the employment of the district.

When any teacher or other certificated employee leaves one school district within the state and commences employment with another school district within the state, he shall retain the same seniority, leave benefits and other benefits that he had in his previous position. If the school district to which the person transfers has a different system for computing seniority, leave benefits, and other benefits, then the employee shall be granted the same seniority, leave benefits and other benefits as a person in that district who has similar occupational status and total years of service.

When any teacher or certificated employee leaves a school district within the state and commences employment with the superintendent of public instruction, his or her years of school district employment may be credited toward the accrual of sick leave and annual leave as if such years had been in uninterrupted state agency service, other provisions of law to the contrary notwithstanding."

In line 6 of the title after "28A.67.020;" strike everything down to the period on line 10 and insert "amending section 3, chapter 10, Laws of 1972 ex. sess. and RCW 28A.58.100; and providing penalties"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Ehlers, Eng, Gaspard, Hurley (George), Valle, Whiteside.

To Committee on Rules for second reading.

May 9, 1975

ENGROSSED SENATE BILL NO. 2194, Prime Sponsor: Senator von Reichbauer, providing for temporary appointments to fill vacancies in the office of United States senator. Reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 10 after "election" strike all material including the Senate amendments down to and including "year" on line 18 of the engrossed bill, being the last line of the Senate amendments, and insert "~~(at the next ensuing general state election)~~ as specified herein, as now or hereafter amended."

Such temporary appointment shall be made as follows:

(1) If the state central committee of the same political party as the person who vacates the office is constituted such that no less than fifty percent of its membership is elected on a basis which is, as nearly as is practicable, in direct proportion to the population of the state, such temporary appointment shall be made from a list of three names submitted to the governor by such state central committee: PROVIDED, That a state central committee which is so constituted shall not be deemed to be in violation of any provision of law which specifies a different composition for such a committee.

(2) If the state central committee of the same political party as the person who vacates the office is constituted such that less than fifty percent of its membership is elected on a basis which is, as nearly as is practicable, in direct proportion to the population of the state, such temporary appointment shall be made from a list of three names submitted to the governor by the next state convention of such political party: PROVIDED, HOWEVER, That if no state convention of such political party is held between the date on which the vacancy occurs and the date on which the people fill the vacancy by election as specified herein, as now or hereafter amended, the governor shall make no such temporary appointment and the office shall remain vacant until the people fill the vacancy by election as specified herein, as now or hereafter amended.

A vacancy occurring on or before the 45th day immediately preceding the primary next preceding the next ensuing general state election shall be filled by election at such general state election. A vacancy occurring after the 45th day immediately preceding the primary next preceding the next ensuing general state election shall be filled by election at the next ensuing general state election which immediately follows such general state election."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Erickson, Hawkins, Lysen, Sherman.

To Committee on Rules for second reading.

May 9, 1975

ENGROSSED SENATE BILL NO. 2395, Prime Sponsor: Senator Woody, raising court reporters' salaries. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 8 after "paid" strike all material through "reporters;" on line 22 of the engrossed bill, being the last line of the Senate amendment, and insert "(compensation as follows:

(1) In judicial districts comprised of class AA counties, such salary as shall be fixed by the judges of said counties and approved by the board of county commissioners of said class AA counties;

(2) In judicial districts having a total population of forty thousand or more, excluding class AA counties, fourteen thousand dollars per annum;

(3) In judicial districts having a total population of twenty-five thousand and under forty thousand; eight thousand four hundred dollars per annum;)) such compensation as shall be fixed, after recommendation by the judges of the judicial district involved, by the legislative authority of the county comprising said judicial district, or by the legislative authorities acting jointly where the judicial district is comprised of more than one county: PROVIDED, That in judicial districts having a total population of forty thousand or more, the salary of an official court reporter shall not be less than sixteen thousand five hundred dollars per annum: PROVIDED FURTHER, That in judicial districts having a total population of twenty-five thousand and under forty thousand, such salary shall not be less than eleven thousand one hundred dollars per annum."

On page 1, line 26 of the engrossed bill, being the second line of the Senate amendment to line 22 after "judges))" insert "council or"

Signed by Representatives Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hayner, Sherman.

To Committee on Rules for second reading.

May 9, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2692, Original Prime Sponsor: Senator Fleming, establishing standards for making buildings and facilities accessible to and usable by physically disabled persons. Reported by Committee on Local Government.

**MAJORITY recommendation: Do pass with the following amendments:**

On page 1, strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. It is the intent of the legislature that, notwithstanding any law to the contrary, plans and specifications for the erection of buildings through the use of public or private funds shall make special provisions for elderly or physically disabled persons.

NEW SECTION. Sec. 2. The standards and specifications adopted under this chapter shall, as provided in this section, apply to buildings, structures, or portions thereof used primarily for group A through group H occupancies, as defined in the Washington state building code. All such buildings, structures, or portions thereof, which are constructed, substantially remodeled, or substantially rehabilitated after July 1, 1976, shall conform to the standards and specifications adopted under this chapter: PROVIDED, That the following buildings, structures, or portions thereof shall be exempt from this chapter:

(1) Buildings, structures, or portions thereof for which construction contracts have been awarded prior to July 1, 1976;

(2) Any building, structure, or portion thereof in respect to which the administrative authority deems, after considering all circumstances applying thereto, that full compliance is impracticable: PROVIDED, That, such a determination shall be made no later than at the time of issuance of the building permit for the construction, remodeling, or rehabilitation: PROVIDED FURTHER, That the board of appeals provided for in section 204 of the Uniform Building Code shall have jurisdiction to hear and decide appeals from any decision by the administrative authority regarding a waiver or failure to grant a waiver from compliance with the standards adopted pursuant to sections 1 through 7 of this amendatory act. The provisions of the Uniform Building Code regarding the appeals process shall govern the appeals herein;

(3) Any building or structure used solely for dwelling purposes and which contains not more than two dwelling units;

(4) Any building or structure not used primarily for group A through group H occupancies as set forth in the Washington state building code; or

(5) Apartment houses with ten or fewer units.

**NEW SECTION.** Sec. 3. All buildings built in accordance with the standards and specifications provided for in this chapter, and containing facilities that are in compliance therewith, shall display the following symbol which is known as the international symbol of access.



Such symbol shall be white on a blue background and shall indicate the location of facilities designed for the physically disabled or elderly. When a building contains an entrance other than the main entrance which is ramped or level for use by physically disabled or elderly persons, a sign with the symbol showing its location shall be posted at or near the main entrance which shall be visible from the adjacent public sidewalk or way.

**NEW SECTION.** Sec. 4. As used in this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) "Administrative authority" means the building department of each county, city, or town of this state;

(2) "Substantially remodeled or substantially rehabilitated" means any alteration or restoration of a building or structure within any twelve-month period, the cost of which exceeds sixty percent of the currently appraised value of the particular building or structure;

(3) "Council" means the state building code advisory council.

**NEW SECTION.** Sec. 5. The state building code advisory council shall adopt minimum standards by rule and regulation for the provision of facilities in buildings and structures to accommodate the elderly, as well as physically disabled persons, which shall include but not be limited to standards for:

- (1) Ramps;
- (2) Doors and doorways;
- (3) Stairs;
- (4) Floors;
- (5) Entrances;
- (6) Toilet rooms and paraphernalia therein;
- (7) Water fountains;
- (8) Public telephones;
- (9) Elevators;
- (10) Switches and levers for the control of light, ventilation, windows, mirrors, etc.;
- (11) Plaques identifying such facilities;
- (12) Turnstiles and revolving doors;
- (13) Kitchen facilities, where appropriate;
- (14) Grading of approaches to entrances;

(15) Parking facilities;

(16) Seating facilities, where appropriate, in buildings where people normally assemble.

**NEW SECTION.** Sec. 6. The council in adopting these minimum standards shall consider minimum standards adopted by both law and rule and regulation in other states: **PROVIDED**, That no standards adopted by the council pursuant to sections 1 through 7 of this amendatory act shall take effect until July 1, 1976. The council shall adopt such standards by majority vote pursuant to the provisions of chapter 34.04 RCW.

**NEW SECTION.** Sec. 7. The administrative authority of any jurisdiction may grant a waiver from compliance with any standard adopted hereunder for a particular building or structure if it determines that compliance with the particular standard is impractical: **PROVIDED**, That such a determination shall be made no later than at the time of issuance of the building permit for the construction, remodeling, or rehabilitation: **PROVIDED FURTHER**, That the board of appeals provided for in section 204 of the Uniform Building Code shall have jurisdiction to hear and decide appeals from any decision by the administrative authority regarding a waiver or failure to grant a waiver from compliance with the standards adopted pursuant to sections 1 through 7 of this amendatory act. The provisions of the Uniform Building Code regarding the appeals process shall govern the appeals herein.

Sec. 8. Section 3, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.030 are each amended to read as follows:

On and after January 1, 1975, there shall be in effect in all cities, towns and counties of the state a state building code which shall consist of the following codes which are hereby adopted by reference:

- (1) Uniform Building Code and Related Standards, 1973 edition, published by the International Conference of Building Officials;
- (2) Uniform Mechanical Code, 1973 edition, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials;
- (3) The Uniform Fire Code with appendices thereto, 1973 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association;
- (4) The Uniform Plumbing Code, 1973 edition, published by the International Association of Plumbing and Mechanical Officials: **PROVIDED**, That chapter 11 of such code is not adopted: **PROVIDED**, That notwithstanding any wording in this code, nothing in this code shall apply to the installation of any gas piping, water heaters, or vents for water heaters; and
- (5) ~~(The American National Standard Specifications for Making Buildings and Facilities Accessible To, and Usable By, The Physically Handicapped, published by American National Standards Institute, Inc., Document ANSI A117.1-1961 (reaffirmed 1971). This paragraph shall supplement chapter 35, Laws of 1967 and chapter 70.92 RCW with respect to public buildings.)~~ The rules and regulations adopted by the council establishing standards for making buildings and facilities accessible to and usable by the physically handicapped or elderly persons as provided for in sections 1 through 7 of this amendatory act.

In case of conflict among the codes enumerated in subsections (1), (2), (3) and (4) of this section, the first named code shall govern over those following.

Sec. 9. Section 4, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.040 are each amended to read as follows:

On and after January 1, 1975, the governing body of each city, town or county is authorized to amend the state building code as it applies within its jurisdiction in all such respects as shall be not less than the minimum performance standards and objectives enumerated in RCW 19.27.020, including, the authority to adopt any subsequent revisions to the codes in RCW 19.27.030 (1), (2), (3), and (4) (~~and (5)~~).

Nothing in this section shall authorize any modifications of the requirements of (~~chapter 35, Laws of 1967, or chapter 70.92 RCW~~) sections 1 through 7 of this amendatory act.

**NEW SECTION.** Sec. 10. The following acts or parts of acts are each hereby repealed:

- (1) Section 1, chapter 35, Laws of 1967 and RCW 70.92.010;
- (2) Section 2, chapter 35, Laws of 1967 and RCW 70.92.020;
- (3) Section 3, chapter 35, Laws of 1967 and RCW 70.92.030;
- (4) Section 4, chapter 35, Laws of 1967 and RCW 70.92.040;
- (5) Section 5, chapter 35, Laws of 1967 and RCW 70.92.050;
- (6) Section 6, chapter 35, Laws of 1967 and RCW 70.92.060;
- (7) Section 1, chapter 219, Laws of 1971 ex. sess. and RCW 70.92A.010;
- (8) Section 2, chapter 219, Laws of 1971 ex. sess. and RCW 70.92A.020;
- (9) Section 3, chapter 219, Laws of 1971 ex. sess. and RCW 70.92A.030;
- (10) Section 4, chapter 219, Laws of 1971 ex. sess. and RCW 70.92A.040;
- (11) Section 5, chapter 219, Laws of 1971 ex. sess. and RCW 70.92A.050; and
- (12) Section 11, chapter 96, Laws of 1974 ex. sess. and RCW 70.92A.060.

**NEW SECTION.** Sec. 11. Sections 1 through 7 of this amendatory act are each added to chapter 35, Laws of 1967 and to chapter 70.92 RCW.

**NEW SECTION.** Sec. 12. Sections 8, 9, and 10 of this amendatory act shall take effect on July 1, 1976."

On line 3 of the title, after "persons;" strike the material down to and including "RCW 19.27.070;"

On line 6 of the title, after "19.27.030;" and before "adding" insert "amending section 4, chapter 96, Laws of 1974 ex. sess. and RCW 19.27.040;"

Signed by Representatives Hanna, Vice Chairman; Douthwaite, Laughlin, Amen, Blair, Cochrane, Eng, Fischer, McCormick, North, Paris, Smith (Edward), Whiteside.

To Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 427, by Representatives Perry, Patterson, Hansen, Gaines and Gilleland (by Executive request):

Making appropriations for highways.

The bill was read the second time.

On motion of Mr. Perry, Substitute House Bill No. 427 was substituted for House Bill No. 427, and the substitute bill was placed on the calendar for second reading.

#### MOTION

On motion of Mr. Thompson, further action on Substitute House Bill No. 427 was deferred until consideration of House Bill No. 428.

HOUSE BILL NO. 428, by Representatives Perry, Patterson, Hansen, Gaines and Gilleland (by Executive request):

Making appropriations for highways.

The bill was read the second time.

On motion of Mr. Perry, Substitute House Bill No. 428 was substituted for House Bill No. 428, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 428 was read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 428 was placed on final passage.

Representatives Perry and Patterson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 428, and the bill passed the House by the following vote: Yeas, 84; nays, 5; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wilson, Wjahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Lysen, Tilly, Williams.

Not voting: Representatives Berentson, Bond, Deccio, Freeman, Haley, Juelling, Kuehnle, Newhouse, Pardini.

Substitute House Bill No. 428, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

#### MOTION

On motion of Mr. Thompson, the House moved to immediately consider HOUSE BILL NO. 552 on second reading.

HOUSE BILL NO. 552, by Representatives Thompson, Polk, Blair, Sommers, Kilbury, Tilly, Berentson and Hawkins (by Executive request):

Requiring certification of major energy facilities.

The bill was read the second time.

Mr. Perry moved that Substitute House Bill No. 552 be substituted for House Bill No. 552, and the substitute bill be placed on the calendar for second reading.

Mr. Newhouse spoke against the motion, and Mr. Perry spoke in favor of it.

## POINT OF ORDER

Mr. Newhouse: "The Speaker is doing a very good job of addressing why this substitute bill was before us, but the point I raise is that he has not addressed, for my satisfaction, at least, why a bill was put on the calendar at the last minute in the committee and the bill used is one of much importance and he is striking all the important material out of that bill."

## SPEAKER'S RULING

The Speaker: "Representative Newhouse, the motion, the way I understand it, is for a substitute bill, so therefore, if you are moving the substitute, I think the subject matter of both bills is open because you are attempting to substitute one bill for another. I think Representative Perry's remarks are in order."

Mr. Perry continued his remarks in favor of the motion.

## POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Berentson.

Mr. Berentson: "I have had some concern as to the language in the moratorium as to whether, in your opinion or perhaps in a legal opinion you might have obtained, this would preclude the expansion of existing facilities to handle low-grade sulphur that will be coming into these refineries? Or in your opinion, does this only apply to the terminal facilities?"

Mr. Perry: "I was very much interested and I am very glad this question has been raised, because it was not our intention to preclude construction of facilities necessary to handle Alaskan crude. I went all through this last year. These refineries have to change their type of plants in order to handle the Alaskan crude; they have been handling Canadian crude which is very high in natural naphtha content and in order to handle Alaskan crude, they have to change the process. This measure was meant for one specific purpose: To prohibit or to declare a moratorium on the construction of any marine terminal facilities; it was not meant to impair or in any way stop the conversion of our refineries to the ability to handle Alaskan crude."

Representatives Berentson, Leckenby and Douthwaite spoke in favor of the motion.

Mr. Charette demanded an electric roll call and the demand was sustained.

Representatives Valle and Fortson spoke in favor of the motion.

Mr. Ehlers demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion by Representative Perry to substitute Substitute House Bill No. 552 for House Bill No. 552 and place the substitute bill on the calendar for second reading, and the motion was carried by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Curtis, Flanagan, Gilleland, Newhouse, Schumaker.

Not voting: Representatives Brown, Kuehnle.

Substitute House Bill No. 552 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 552 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 552, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines,

Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Eikenberry, Flanagan, Gilleland, Schumaker.

Not voting: Representatives Kuehnle, Polk.

Substitute House Bill No. 552, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 427**, by Committee on Transportation and Utilities (Originally sponsored by Representatives Perry, Patterson, Hansen, Gaines and Gilleland - by Executive request):

Making appropriations for highways.

The bill was read the second time.

Mr. Newhouse moved adoption of the following amendment by Representatives Newhouse and Deccio:

On page 2, line 9 after the colon strike everything down to and including the colon on line 14.

Representatives Newhouse and Deccio spoke in favor of the amendment, and Mr. Perry spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Mr. Bond spoke in favor of the amendment, and Mr. Boldt spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Newhouse and Deccio to Substitute House Bill No. 427, and the amendment was not adopted by the following vote: Yeas, 28; nays, 66; not voting, 4.

Voting yea: Representatives Amen, Barnes, Blair, Bond, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Juelling, Kilbury, Leckenby, Lee, Newhouse, Pardini, Paris, Peterson, Polk, Schumaker, Tilly, Whiteside.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Brown, Haley, Kuehnle, Nelson.

Mr. Barnes moved adoption of the following amendment:

On page 2, line 22 after "route 20S" strike all of the material down to and including "Redmond" on line 26.

Mr. Barnes spoke in favor of the amendment, and Representatives Perry and Berentson spoke against it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 2, line 5 after "purposes" strike all of the material down and including "street" on line 9.

Representatives Barnes and Haley spoke in favor of the amendment, and Representatives Gallagher and Perry spoke against it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 2, line 14 after "route 82" strike all of the material down to and including "Mullen" on line

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Representatives Barnes and Dunlap spoke in favor of the amendment, and Representatives Patterson and Perry spoke against it.



## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 2, line 14 of Substitute House Bill No. 427, and the amendment was not adopted by the following vote: Yeas, 14; nays, 73; not voting, 11.

Voting yea: Representatives Barnes, Bond, Deccio, Douthwaite, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Haley, Hendricks, Lee, Peterson, Polk.

Voting nay: Representatives Adams, Amen, Bagnariol, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Cochrane, Conner, Curtis, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bauer, Blair, Chandler, Clemente, Eikenberry, Hayner, Kuehnle, Matthews, Maxie, Nelson, Paris.

Mr. Barnes moved adoption of the following amendment:

On page 2, line 17 after "Mullen" strike all material down to and including "route 20S" on line 22.

Mr. Barnes spoke in favor of the amendment, and Representatives Berentson and Perry spoke against it.

Mr. Barnes closed debate, speaking again in favor of the amendment.

The amendment was not adopted.

The Clerk read the following amendment by Representative Barnes:

On page 2, line 26 after "Redmond" strike all of the material down to and including "expenditure" on line 30.

With the consent of the House, Mr. Barnes withdrew the amendment.

Mr. Deccio moved adoption of the following amendment:

On page 3, line 26 after "criteria." on line 25 insert a new paragraph as follows:

"The state highway commission shall give first priority in use of state and federal highway funds for completion of the uncompleted portions of I-5, I-205, I-90, I-82, and I-182 which comprise the interstate freeway network, subject to limitations related to project development and environmental requirements."

Representative Deccio spoke in favor of the amendment, and Representatives Perry, Barnes and Leckenby spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Deccio to page 3, line 26 of Substitute House Bill No. 427, and the amendment was not adopted by the following vote: Yeas, 12; nays, 81; not voting, 5.

Voting yea: Representatives Deccio, Douthwaite, Flanagan, Greengo, Haley, Hayner, Lee, Lysen, Nelson, Newhouse, Polk, Whiteside.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Jueling, Kuehnle, Matthews, Randall.

Mr. Tilly moved adoption of the following amendments:

On page 4, line 21 after "fund" on line 20 and before "or" strike "\$7,803,160" and insert "\$3,901,580"

On page 4, line 23 after "section:" and before "PROVIDED FURTHER" on line 28 strike all material beginning with "PROVIDED"

Mr. Tilly spoke in favor of the amendments, and Mr. Perry spoke against them.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Mr. Tilly closed debate, speaking again in favor of the amendments.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to Substitute House Bill No. 427, and the amendments were not adopted by the following vote: Yeas, 21; nays, 73; not voting, 4.

Voting yea: Representatives Amen, Barnes, Bond, Curtis, Deccio, Douthwaite, Dunlap, Flanagan, Freeman, Gilleland, Haley, Hurley M., Jueling, Leckenby, Lee, Matthews, Nelson, Newhouse, Paris, Schumaker, Tilly.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chatalas, Kuehne, Pardini, Whiteside.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 427 was placed on final passage.

Representative Perry spoke in favor of passage of the bill, and Representatives Douthwaite, Polk and Deccio spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 427, and the bill passed the House by the following vote: Yeas, 63; nays, 34; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Dunlap, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Haussler, Hayner, Hurley G. S., Jastad, Kalich, Kilbury, Knowles, Laughlin, Luders, Maxie, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Bond, Brown, Chandler, Curtis, Deccio, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Greengo, Haley, Hawkins, Hendricks, Hurley M., Jueling, King, Leckenby, Lee, Lysen, Martinis, Matthews, Moon, Newhouse, Pardini, Paris, Peterson, Polk, Tilly, Valle, Warnke, Williams.

Not voting: Representative Kuehne.

Substitute House Bill No. 427, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, Substitute House Bill No. 428, Substitute House Bill No. 552 and Substitute House Bill No. 427 were ordered transmitted immediately to the Senate.

SECOND SUBSTITUTE HOUSE BILL NO. 1007, by Committee on Ways and Means (Originally sponsored by Representatives Bagnariol, Thompson, Shipoch, Zimmerman and Eng):

Setting salaries for elected public officials.

The bill was read the second time.

On motion of Ms. Sommers, the following amendment was adopted:

On page 2, beginning on line 5 after "dollars" strike the remainder of the section, and insert "; members of the legislature shall receive for their service three thousand eight hundred dollars per annum; and in addition, ten cents per mile for travel to and from legislative sessions."

Mr. Newhouse moved adoption of the following amendment:

On page 2, line 13 after ")")" strike "thirty-nine thousand four hundred twelve" and insert "thirty-six thousand"

Representatives Newhouse and Blair spoke in favor of the amendment, and Representatives Sommers, Knowles, Eikenberry and Charette spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Newhouse to Second Substitute House Bill No. 1007, and the amendment was not adopted by the following vote: Yeas, 32; nays, 63; not voting, 3.

Voting yea: Representatives Amen, Barnes, Blair, Boldt, Bond, Deccio, Douthwaite, Dunlap, Eng, Erickson, Flanagan, Fortson, Freeman, Gilleland, Greengo, Hansen, Hayner, Hurley M., Jueling, Kilbury, Leckenby, Lee, Lysen, Matthews, Newhouse, Pardini, Paris, Peterson, Polk, Randall, Schumaker, Tilly.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Ehlers, Eikenberry, Fischer, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kalich, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Perry, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kuehnle, Patterson, Williams.

The Clerk read the following amendment by Representative Newhouse:

On page 2, line 24 strike "thirty-six thousand three hundred twenty-five" and insert "thirty-three thousand"

With the consent of the House, Mr. Newhouse withdrew the amendment.

Second Substitute House Bill No. 1007 was ordered engrossed.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 1007 was placed on final passage.

## MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Kuehnle, who was excused.

## MESSAGES FROM THE SENATE

May 13, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2690, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 13, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2242, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 13, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2513, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

May 6, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 16 with the following amendments:

Beginning on line 5 of the title after "RCW 51.52.060;" strike all of the material down to and including "RCW 51.52.090;" on line 7 and insert "amending section 51.52.070, chapter 23, Laws of 1961 and RCW 51.52.070;"

On page 3, strike all of section 3 and insert the following:

"Sec. 3. Section 51.52.070, chapter 23, Laws of 1961 and RCW 51.52.070 are each amended to read as follows:

The notice of appeal to the board shall set forth in full detail the grounds upon which the person appealing considers such order, decision, or award is unjust or unlawful, and shall include every issue to be considered by the board, and it must contain a detailed statement of facts upon which such workman, beneficiary, employer, or other person relies in support thereof. The workman, beneficiary, employer, or other person shall be deemed to have waived all objections or irregularities concerning the matter on which such appeal is taken other than those specifically set forth in such notice of appeal or appearing in the records of the department. The department shall promptly transmit its original record, or a legible copy thereof produced by mechanical, photographic, or electronic means, in such matter to the board."

On page 3, beginning on line 33 strike all of the underlined material down through and including "granted" on line 35; and on line 36 after "denial" and before the period insert ": PROVIDED, That if a petition for review is not denied within said twenty days it shall be deemed to have been granted" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Savage moved that the House do concur in the Senate amendments to Engrossed House Bill No. 16.

Representatives Savage and May spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 16 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 16 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bagnariol, Charnley, Conner, Deccio, Kuehnle, Laughlin, Maxie, Shinpoch, Smith R., and Mr. Speaker.

Engrossed House Bill No. 16 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

May 6, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 92 with the following amendment:

On page 1, strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 4.24 RCW a new section to read as follows:

(1) An adult or emancipated minor who takes possession of any goods, wares or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller, and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof shall be liable in addition to actual damages, for a penalty to the owner or seller in the amount of the retail value thereof not to exceed one thousand dollars, plus costs of preparing and presenting the action of not less than one hundred dollars nor more than two hundred dollars.

(2) The parent or legal guardian having the custody of an unemancipated minor who takes possession of any goods, wares or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof, shall be liable as a penalty to the owner or seller for the retail value of such goods, wares or merchandise not to exceed five hundred dollars plus costs of preparing and presenting the action of not less than one hundred dollars nor more than two hundred dollars: PROVIDED, That for the purposes of this subsection, liability

shall not be imposed upon any governmental entity or private agency which has been assigned responsibility for the minor child pursuant to court order or action of the department of social and health services.

(3) Claims, but not judgments, arising under this section may not be assigned.

(4) A conviction for violation of RCW 9.78.010 or 9.54.010 shall not be a condition precedent to maintenance of a civil action authorized by this section." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mrs. Wojahn moved that the House do concur in the Senate amendment to Engrossed House Bill No. 92.

Representatives Wojahn and Eikenberry spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 92 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 92 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 7; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Charette, Charney, Chatalas, Clemente, Conner, Curtis, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Chandler, Cochrane, Ehlers, Hawkins, Lysen, Williams.

Not voting: Representatives Deccio, Hansen, Kuehnle, Laughlin, Maxie, Randall, Smith R.

Engrossed House Bill No. 92 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

May 7, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 141 with the following amendments:

On line 5 of the title of the engrossed bill, being line 6 of the printed bill, after "9.08.050;" and before "and" insert "providing a contingent repealer;"

On page 2, line 12 of the engrossed bill, being the last line of the House amendment to page 2, line 9 after "own use" and before "or kills" insert " ,injures,"

On page 2, line 20 of the engrossed bill, being the last line of the House amendment to page 2, line 16 after "herein provided." strike the remainder of the section and add a new paragraph as follows:

"Any owner who suffers damages as a result of a violation of this section may bring a civil action, in any court of competent jurisdiction, to recover exemplary damages up to three times the actual damages sustained."

On page 2, after section 3 insert a new section to read as follows:

"NEW SECTION. Sec. 4. Sections 1 and 2 of this 1975 amendatory act shall take effect as provided by the state Constitution and shall remain in effect until the effective date of the repeal of RCW 9.54.090 and 9.54.115 by section 9A.92.010, chapter . . . (Substitute Senate Bill No. 2092), Laws of 197. . . ex. sess., at which time sections 1 and 2 of this 1975 amendatory act shall also be repealed."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Haussler, the House concurred in the Senate amendments to Engrossed House Bill No. 141.

## POINT OF ORDER

Mr. Eikenberry: "Mr. Speaker, I was just taking a quick look at these amendments and for the first time in my legal career, I came across the word 'exemplatory damages'. I think they mean 'exemplary' and perhaps the Code Reviser can correct that terminology."

## MOTION

On motion of Mr. Charette, the House deferred further action of Engrossed House Bill No. 141 as amended by the Senate.

## SENATE AMENDMENTS TO HOUSE BILL

May 2, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 172 with the following amendments:

Strike all material after the enacting clause and insert the following:

"Section 1. Section 46.08.065, chapter 12, Laws of 1961 and RCW 46.08.065 are each amended to read as follows:

(1) It shall be unlawful for any public officer having charge of any vehicle other than a motorcycle owned (~~by the state of Washington~~) or controlled by any county, city, town, or (~~other~~) public body in this stateother than the state of Washington and used in public business to operate the same upon the public highways of this state unless and until there shall be (~~printed~~) displayed upon such automobile or other motor vehicle in letters of contrasting color not less than (~~two~~) one and one-quarter inches in height in a conspicuous place on the right and left sides thereof, (~~the words "State of Washington" or~~) the name of such county, city, town, or other public body, together with the name of the department or office upon the business of which the said vehicle is used(~~PROVIDED, That~~). This section shall not apply to vehicles of (~~the Washington state patrol~~;) a sheriff's office, local police department, or any vehicles used by local peace officers under public authority for special undercover or (~~general~~) confidential investigative purposes(~~PROVIDED FURTHER, That~~). This subsection shall not apply to: (a) Any municipal transit vehicle operated for purposes of providing public mass transportation; nor to (b) any motor vehicle on loan to a school district for driver training purposes. It shall be lawful and constitute compliance with the provisions of this section, however, for (~~any department or office~~) the governing body of the appropriate county, city, town, or public body other than the state of Washington or its agencies to adopt and use (~~in lieu of the lettering required~~) a distinctive insignia (~~approved by the state commission on equipment, and bearing substantially the same information as required herein~~) which shall be not less than six inches in diameter across its smallest dimension and which shall be displayed conspicuously on the right and left sides of the vehicle. Such insignia shall be in a color or colors contrasting with the vehicle to which applied for maximum visibility. The name of the public body owning or operating the vehicle shall also be included as part of or displayed above such approved insignia in colors contrasting with the vehicle in letters not less than one and one-quarter inches in height. Immediately below the lettering identifying the public entity and agency operating the vehicle or below an approved insignia shall appear the words "for official use only" in letters at least one inch high in a color contrasting with the color of the vehicle. The appropriate governing body may provide by rule or ordinance for exceptions to the marking requirements for local governmental agencies for the same purposes and under the same circumstances as permitted for state agencies under subsections (4) and (5) of this section.

(2) Except as provided by subsections (3), (4), or (5) of this section, every state office, agency, commission, department, or institution financed in whole or in part from funds appropriated by the legislature shall plainly and conspicuously mark the right and left front doors of each motor vehicle other than a motorcycle under its ownership or control which is used on any public road or street with the name of the operating department, agency, or institution (or the words "state motor pool" as appropriate) in letters at least one and one-quarter inches high of a color contrasting with the color of the vehicle. Immediately below such lettering and also in a contrasting color shall appear the official seal of the state of Washington, the size of which shall be not less than six inches in diameter. Immediately below the official seal, or insignia if authorized under subsection (3) of this section, shall appear the words "for official use only" in letters at least one inch high in a color contrasting with the color of the vehicle.

(3) The department of general administration, with the consent of the automotive policy board, may approve the use of a distinctive departmental, office, agency, institutional, or commission insignia in lieu of the state seal required under subsection (2) of this section. Such insignia, if approved, shall be in a color or colors contrasting with the vehicle to which applied and shall be not less than six inches in diameter or across its smallest dimension. The words "State of Washington" shall be included as part of or displayed above such approved insignia in a color contrasting with the vehicle in letters not less than one and one-quarter inches in height.

(4) Any distinctive departmental, office, agency, institutional, or commission insignia approved for marking of state vehicles by the state commission on equipment on or before January 1, 1975, shall be approved for continued use if it conforms to the standards imposed by subsections (2) and (3) of this section.

(5) Subsections (2) and (3) of this section shall not apply to vehicles used by the Washington state patrol for general undercover or confidential investigative purposes. Traffic control vehicles of the Washington state patrol may be exempted from the requirements of subsections (2) and (3) of this section at the discretion of the chief of the Washington state patrol. The department of general administration, with the consent of the auto motive policy board, shall promulgate general rules and regulations permitting other exceptions to the requirements of subsections (2) and (3) of this section for other vehicles used for law enforcement, confidential public health work, and public assistance fraud or support investigative purposes, for vehicles leased or rented by the state on a casual basis for a period of less than ninety days, and those provided for in section 2(3) of this 1975 amendatory act. The exceptions in this subsection and those provided for in section 2(3) of this 1975 amendatory act shall be the only exceptions permitted to the requirements of subsections (2) and (3) of this section.

(6) Any motorcycle owned or controlled by the state of Washington or by any county, city, town, or other public body in this state and used for public purposes on the public highways of this state shall be conspicuously marked in letters of a contrasting color with the words "State of Washington" or the name of such county, city, town, or other public body, together with the name of the department or office upon the business of which the motorcycle is used.

(7) All motor vehicle markings required under the terms of this chapter shall be maintained in a legible condition at all times.

**NEW SECTION.** Sec. 2. There is added to chapter 12, Laws of 1961 and to chapter 46.08 RCW a new section to read as follows:

(1) Except as provided in subsection (3) of this section, the department of motor vehicles is authorized to issue confidential motor vehicle license plates to units of local government and to agencies of the federal government for law enforcement purposes only.

(2) Except as provided in subsections (3) and (4) of this section the use of confidential plates on vehicles owned or operated by the state of Washington by any officer or employee thereof, shall be limited to confidential, investigative, or undercover work of state law enforcement agencies, confidential public health work, and confidential public assistance fraud or support investigations.

(3) Any elected state official shall be provided on request with one set of confidential plates for use on official business. When necessary for the personal security of any other public officer, or public employee, the chief of the Washington state patrol may recommend that the director issue confidential plates for use on an unmarked publicly owned or controlled vehicle of the appropriate governmental unit for the conduct of official business for the period of time that the personal security of such state official, public officer, or other public employee may require. The office of the state treasurer may use an unmarked state owned or controlled vehicle with confidential plates where required for the safe transportation of either state funds or negotiable securities to or from the office of the state treasurer.

(4) The director of the department of motor vehicles, with the approval of the automotive policy board established pursuant to section 6, chapter ... (HB 105), Laws of 1975 1st ex. sess., may issue rules and regulations governing applications for, and the use of, such plates by law enforcement and other public agencies. The legislative auditor shall periodically examine or require filing of a current listing of the total number of such plates issued to any law enforcement or other public agency. Reports on the utilization of such plates shall be submitted to the legislative budget committee and to the legislature.

**NEW SECTION.** Sec. 3. There is added to chapter 12, Laws of 1961 and to chapter 46.08 RCW a new section to read as follows:

A violation of any provision of RCW 46.08.065 as now or hereafter amended or of section 2 of this 1975 amendatory act shall subject the public officer or employee committing such violation to disciplinary action by the appropriate appointing authority or employing agency. Such disciplinary action may include, but shall not be limited to, suspension without pay or termination of employment in the case of repeated or continuing noncompliance.

**NEW SECTION.** Sec. 4. There is added to chapter 12, Laws of 1961 and to chapter 46.08 RCW a new section to read as follows:

Any vehicle properly marked pursuant to statutory requirements in effect prior to the effective date of this 1975 amendatory act, need not be remarked to conform to the requirements of sections 1, 2, and 3 of this 1975 amendatory act until July 1, 1977.

Sec. 5. Section 46.16.020, chapter 12, Laws of 1961 as last amended by section 22, chapter 132, Laws of 1973 1st ex. sess. and RCW 46.16.020 are each amended to read as follows:

Any vehicle owned, rented, or leased by the state of Washington, or by any county, city, town, school district, or other political subdivision of the state of Washington and used exclusively by them, and all vehicles owned or leased with an option to purchase by the United States government, or by the government of foreign countries, or by international bodies to which the United States government is a signatory by treaty, and used exclusively in its or their service shall be exempt from the payment of license fees for the licensing thereof as in this chapter provided: PROVIDED, HOWEVER, That such vehicles, except those owned and used exclusively by the United States government and which are identified by clearly exhibited registration numbers or license plates assigned by an instrumentality of that government, shall be registered as prescribed for the license registration of other vehicles and shall display ((upon the vehicles)) the vehicle license number plates assigned ((by the director and except in cases of a foreign government or international body shall pay for such number plates a fee of one dollar)) to it. The department shall assign a plate or plates to each vehicle or may assign a block of plates to an agency or political subdivision for further assignment by the agency or political subdivision to individual vehicles registered to it pursuant to

this section. The agency or political subdivision, except a foreign government or international body, shall pay a fee of two dollars for the plate or plates for each vehicle: PROVIDED, FURTHER, That no vehicle license or license number plates shall be issued to any such vehicle under the provisions of this section for the transportation of school children unless and until such vehicle shall have been first personally inspected by the director or his duly authorized representative.

Sec. 6. Section 46.16.210, chapter 12, Laws of 1961 as amended by section 1, chapter 75, Laws of 1969 ex. sess. and RCW 46.16.210 are each amended to read as follows:

(1) Upon receipt of the application and proper fee for original vehicle license, the director shall make a recheck of the application and in the event that there is any error in the application it may be returned to the county auditor or other agent to effectively secure the correction of such error, who shall return the same corrected to the director.

(2) Application for the renewal of a vehicle license shall be made to the director or his agents, including county auditors, by the registered owner on a form prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vehicle was registered in Washington unless the applicant submits a preprinted application mailed from Olympia, and the payment of such license fees and excise tax as may be required by law. Such application shall be handled in the same manner and the fees transmitted to the state treasurer in the same manner as in the case of an original application. Any such application which upon validation becomes a renewal certificate need not have entered upon it the name of the lien holder, if any, of the vehicle concerned.

(3) Persons expecting to be out of the state during the period from January 1st through February 1st may, not earlier than December 1st, but prior to January 1st, secure renewal of a vehicle license and have license plates or tabs preissued by making application to the director or his agents upon forms prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vehicle was registered in Washington and be accompanied by such license fees, including a special handling fee of one dollar; fifty cents to be retained by the issuing agency, and fifty cents to be deposited in the highway safety fund, and excise tax as may be required by law.

(4) Application for the annual renewal of a vehicle license number plate to the director or his agents shall not be required for those vehicles owned, rented, or leased by the state of Washington, or by any county, city, town, school district, or other political subdivision of the state of Washington.

Sec. 7. Section 46.16.270, chapter 12, Laws of 1961 as amended by section 1, chapter 78, Laws of 1965 ex. sess. and RCW 46.16.270 are each amended to read as follows:

Upon the loss, defacement, or destruction of one or both of the vehicle license number plates issued for any vehicle where more than one plate was originally issued or where one or both have become so illegible or in such a condition as to be difficult to distinguish, the owner of the vehicle shall make application for new vehicle license number plates upon a form furnished by the director, upon which form it shall be required that the owner, in addition to other requirements, make a complete statement as to the cause of the loss, defacement, or destruction of the original plate or plates, which statement shall be subscribed and sworn to before a notary public or other person authorized to certify to statements upon vehicle license applications. Such application shall be filed with the director or his authorized agent, accompanied by the certificate of license registration of the vehicle and a fee in the amount of four dollars, whereupon the director, or his authorized agent, shall issue new vehicle license number plates to the applicant. It shall be accompanied by a fee of two dollars for a new vehicle license number plate where only one was originally issued and one dollar for a new motorcycle license number plate. In the event the director has issued license period tabs or a windshield emblem instead of vehicle license number plates, and upon the loss, defacement or destruction of said tabs or windshield emblem, application shall be made on a form provided by the director and in the same manner as above described, and shall be accompanied by a fee of one dollar for each pair of tabs or for each windshield emblem, whereupon the director shall issue to the applicant a duplicate pair of tabs or a windshield emblem to replace those lost, defaced or destroyed: PROVIDED, That for those vehicles owned, rented, or leased by the state of Washington or by any county, city, town, school district, or other political subdivision of the state of Washington or United States government, a fee shall be charged for replacement of a vehicle license number plate only to the extent required by the provisions of RCW 46.16.020, 46.16.061, 46.16.237, and 46.01.140: PROVIDED FURTHER, That for those vehicles owned, rented, or leased by foreign countries or international bodies to which the United States government is a signatory by treaty, the payment of any fee for the replacement of a vehicle license number plate shall not be required."

In line 2 of the title, after "46.08.065;" and before "adding" insert "amending section 46.16.020, chapter 12, Laws of 1961 as last amended by section 22, chapter 132, Laws of 1973 1st ex. sess. and RCW 46.16.020; amending section 46.16.210, chapter 12, Laws of 1961 as amended by section 1, chapter 75, Laws of 1969 ex. sess. and RCW 46.16.210; amending section 46.16.270, chapter 12, Laws of 1961 as amended by section 1, chapter 78, Laws of 1965 ex. sess. and RCW 46.16.270;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Sommers, the House did not concur in the Senate amendments to Engrossed House Bill No. 172 and asked the Senate for a conference thereon.



## MESSAGES FROM THE SENATE

May 8, 1975

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 95, and asks the House for a conference thereon, and the President has appointed as members of said conference committee: Senators Day, Sellar and Goltz.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Becker, the House granted the request of the Senate for a conference on Engrossed House Bill No. 95.

## MESSAGE FROM THE SENATE

May 8, 1975

Mr. Speaker:

The Senate refuses to recede from its amendment to HOUSE BILL NO. 171 on page 2, line 27 and asks the House for a conference thereon, and the President has appointed as members of said conference committee: Senators Henry, Guess and Beck.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Hansen, the House granted the request of the Senate for a conference on House Bill No. 171.

## MESSAGE FROM THE SENATE

May 8, 1975

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 205, and asks the House for a conference thereon, and the President has appointed as members of said conference committee: Senators Odegaard, Gould and Stortini.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Bauer, the House granted the request of the Senate for a conference on Engrossed House Bill.No. 205.

## MESSAGE FROM THE SENATE

May 8, 1975

Mr. Speaker:

The Senate refuses to recede from its amendment to ENGROSSED HOUSE BILL NO. 278, and asks the House for a conference thereon, and the President has appointed as members of said conference committee: Senators Day, Cunningham and Francis.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Sommers, the House granted the request of the Senate for a conference on Engrossed House Bill No. 278.

## SECOND READING

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Second Substitute House Bill No. 1007.

Representatives Sommers, Charette and Pardini spoke in favor of passage of the bill, and Representatives Newhouse, Peterson and Blair spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1007, and the bill passed the House by the following vote: Yeas, 72; nays, 24; not voting, 2.

Voting yea: Representatives Adams, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin,

Leckenby, Luders, Martinis, McCormick, McKibbin, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Cochrane, Deccio, Douthwaite, Dunlap, Eng, Flanagan, Freeman, Gilleland, Greengo, Hansen, Hurley M., Lee, Lysen, Matthews, Maxie, May, Moon, Nelson, Newhouse, Peterson, Schumaker, Williams.

Not voting: Representatives Bagnariol, Kuehnle.

Engrossed Second Substitute House Bill No. 1007, having received the constitutional two-thirds majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, Engrossed Second Substitute House Bill No. 1007 was ordered transmitted immediately to the Senate.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 127, by Committee on Ways and Means (Originally sponsored by Senators Knoblauch, Donohue, Mardesich, Matson, Clarke, Scott, Sellar and Jones):

Establishing constitutionally a citizens' commission to set salaries of public officials.

The resolution was read the second time.

The Clerk read the following amendment by Representatives Leckenby and Blair:

On page 1, line 22 after "commission." strike all material down to and including "by law." on line 26, and insert the following: "The membership of the commission shall be chosen by lot by the secretary of state from among the registered voters of the state, with one member from each legislative district."

With the consent of the House, Mr. Leckenby withdrew the amendment.

#### MOTION

On motion of Mr. Charette, further action on Engrossed Substitute Senate Joint Resolution No. 127 was deferred, and the resolution was ordered placed on the calendar following Second Substitute Senate Bill No. 2235.

SUBSTITUTE SENATE BILL NO. 2110, by Committee on Transportation and Utilities (Originally sponsored by Senators Walgren, Washington and Wanamaker):

Enacting the model traffic ordinance.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2110 was placed on final passage.

Representatives Conner and Eikenberry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2110, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Douthwaite.

Not voting: Representative Kuehnle.

Substitute Senate Bill No. 2110, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2131, by Senators Woody and Clarke:

Permitting cemetery authorities to make deposits in federal credit unions and federal savings and loan associations.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2131 was placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2131, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Haussler, Kuehne, Patterson.

Senate Bill No. 2131, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2143, by Senators Talley, Jolly and North:

Relating to contracts of first class cities.

The bill was read the second time.

Mr. Douthwaite moved adoption of the following amendments by Representatives Douthwaite, Thompson and Conner:

On page 1, line 8 after "sum of" strike "ten" and insert "thirty"

On page 2, line 1 after "sum of" strike "ten" and insert "thirty"

On page 1, line 4 of the Senate amendment after "shall be" strike "fifteen" and insert "thirty"

On page 2, line 2 of the Senate amendment after "or" strike "fifteen" and insert "thirty"

Representatives Douthwaite and Conner spoke in favor of the amendments, and Representatives Hansen, Lee, Polk and Wojahn spoke against them.

Mr. Charette demanded the previous question and the demand was sustained.

The amendments were not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2143 was placed on final passage.

Representatives Eikenberry and Nelson spoke in favor of passage of the bill, and Representatives Sommers and Douthwaite spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2143, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Flanagan, Hendricks, King, Lysen, Schumaker, Sommers, Zimmerman.

Not voting: Representatives Haussler, Kuehne.

Engrossed Senate Bill No. 2143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE SENATE BILL NO. 2235, by Committee on Local Government (Originally sponsored by Senators Talley, Jolly and Sellar):

Allowing public utility districts to acquire, construct, operate, maintain and add to sewerage and sanitation systems.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Second Substitute Senate Bill No. 2235 was placed on final passage.

Mr. Laughlin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 2235, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Newhouse, Polk.

Not voting: Representatives Haussler, Jastad, Kuehnle, Whiteside.

Second Substitute Senate Bill No. 2235, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 127:

The House resumed consideration of the resolution on second reading.

Ms. Sommers moved adoption of the following amendment:

On page 1, after the clause of resolution, strike all remaining material and insert the following:

"That, At the general election to be held in this state on the first Tuesday next succeeding the first Monday in November, 1975, there shall be submitted to the qualified electors of this state, for their approval and ratification, or rejection, a proposal to amend Article XXVIII of the Constitution of the state of Washington by amending section 1 thereof and adding a new section to be designated as section 2 as follows:

Article XXVIII, section 1. All elected state officials except members of the legislature shall each severally receive such compensation as the legislature may direct: PROVIDED, That compensation for members of the legislature shall be as provided by law as of November 10, 1975, until a different rate of compensation is provided by law pursuant to section 2 of this Article ((The compensation of any state officer shall not be increased or diminished during his term of office, except that the legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949)).

The provisions of sections 14, 16, 17, 19, 20, 21, and 22, of Article III and section 23 of Article II insofar as they are inconsistent herewith, are hereby ~~((repealed))~~ superseded.

NEW SECTION. Article XXVIII, section 2. Salaries for members of the legislature shall be fixed by an independent commission created and directed by law to that purpose. No state official, state employee, official or employee of a political subdivision, municipal corporation or special district of the state, or person required by law to register with a state agency as a lobbyist shall be a member of that commission.

Any change of salary shall be filed with the secretary of state and shall become law ninety days thereafter without action of the legislature or governor, but shall be subject to referendum petition by the people, filed within said ninety days. Referendum measures under this section shall be submitted to the people at the next following general election, and shall be otherwise governed by the provisions of this Constitution generally applicable to referendum measures. The salaries fixed pursuant to this section shall supersede any other provision for the salaries of members of the legislature.

No member of the legislature, during the term for which he is elected, shall be appointed to any civil office in the state which shall have been created by the legislature during the term for which he is elected.

Section 13 of Article II is hereby repealed and the provisions of sections 1 and 1(A) of Article II relating to referendum procedures, insofar as they are inconsistent herewith, are hereby superseded.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendments to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Mr. Leckenby moved adoption of the following amendment by Representatives Leckenby and Blair to the Sommers amendment:

On page 1, line 42 after "commission." insert "The membership of the commission shall be chosen by lot by the secretary of state from among the registered voters of the state, with one member from each legislative district."

Mr. Leckenby spoke in favor of the amendment to the amendment, and Ms. Sommers spoke against it.

Mr. Barnes demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Leckenby and Blair to the Sommers amendment to Engrossed Substitute Senate Joint Resolution No. 127, and the amendment to the amendment was not adopted by the following vote: Yeas, 16; nays, 76; not voting, 6.

Voting yea: Representatives Barnes, Berentson, Blair, Chandler, Dunlap, Flanagan, Greengo, Hansey, Hawkins, Hayner, Hendricks, Leckenby, Lee, Pardini, Paris, Polk.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Haussler, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Haley, Kuehnle, Luders, Newhouse, Tilly.

Mr. Nelson moved adoption of the following amendment to the Sommers amendment:

On page 2 of the amendment beginning with "shall" on line 11 strike all material down to and including "legislature" on line 13 and insert "may be reduced by any vote of the legislature"

Representatives Nelson and Leckenby spoke in favor of the amendment to the amendment, and Representatives Sommers and Ehlers spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson to the Sommers amendment to Engrossed Substitute Senate Joint Resolution No. 127, and the amendment to the amendment was not adopted by the following vote: Yeas, 18; nays, 73; not voting, 7.

Voting yea: Representatives Barnes, Bauer, Berentson, Bond, Dunlap, Greengo, Hansey, Hayner, Leckenby, Lee, Matthews, Nelson, Pardini, Paris, Patterson, Polk, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn.

Not voting: Representatives Eikenberry, Haley, Kuehnle, Maxie, Newhouse, Tilly, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Sommers.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sommers to Engrossed Substitute Senate Joint Resolution No. 127, and the amendment was adopted by the following vote: Yeas, 68; nays, 26; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Eng, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Juelling, Leckenby, Maxie, Newhouse, Paris, Polk, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Eikenberry, Haley, Kuehnle, Tilly.

## MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Sommers to Engrossed Substitute Senate Joint Resolution No. 127 was adopted.

Mr. Pardini spoke in favor of the motion, and Representatives Sommers and Polk spoke against it.

## ROLL CALL

The Clerk called the roll on the motion by Representative Pardini to reconsider the vote by which the amendment by Representative Sommers was adopted, and the motion was lost by the following vote: Yeas, 33; nays, 62; not voting, 3.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Eng, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Hurley M., Jueling, Leckenby, Lee, Matthews, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Smith R., Tilly, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipnosh, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Eikenberry, Haley, Kuehnle.

## MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House be placed on final passage.

## ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House to third reading and final passage, and the motion carried by the following vote: Yeas, 78; nays, 16; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Polk, Savage, Seeberger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Dunlap, Eng, Flanagan, Freeman, Gilleland, Greengo, Hendricks, Jueling, Leckenby, Martinis, Paris, Peterson, Schumaker, Zimmerman.

Not voting: Representatives Douthwaite, Haley, Kuehnle, Randall.

The Speaker (Mr. O'Brien presiding) stated the motion having received the necessary two-thirds vote, the question before the House was the final passage of Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House.

Representative Sommers spoke in favor of the resolution, and Representatives Pardini, Leckenby and Zimmerman spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House, and the resolution failed to pass the House by the following vote: Yeas, 63; nays, 33; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Leckenby, Lee, Matthews, Moon, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Eikenberry, Kuehnle.

Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House, having failed to receive the constitutional two-thirds majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Mr. Charette, having voted on the prevailing side, moved that the House reconsider the vote by which the Senate amendments to ENGROSSED HOUSE BILL NO. 141 were concurred in.

The motion was carried.

Mr. Charette explained that the bill would be sent back to the Senate for correction of the word "exemplatory" in one amendment.

The Speaker assumed the Chair.

SECOND SUBSTITUTE SENATE BILL NO. 2241, by Committee on Labor (Originally sponsored by Senators Ridder, Marsh and Matson):

Authorizing resumption of payments to a widow of a workman after remarriage has terminated.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-fourth Day ex. sess., May 6, 1975.)

On motion of Mr. Savage, the committee amendments to page 1, line 9; page 3, line 13; and page 3, line 27 were adopted.

Mr. Savage moved adoption of the committee amendment to page 4, line 27.

Representatives Savage and King spoke in favor of the amendment, and Mr. Matthews spoke against it.

#### MOTION

The Clerk called the roll on adoption of the Committee on Labor amendment to page 4, line 27 of Second Substitute Senate Bill No. 2241, and the amendment was adopted by the following vote: Yeas, 73; nays, 19; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Chandler, Curtis, Dunlap, Freeman, Gilleland, Greengo, Haley, Hendricks, Jueing, Leckenby, Lee, Matthews, Nelson, Peterson, Polk, Schumaker, Whiteside.

Not voting: Representatives Blair, Deccio, Eikenberry, Hayner, Kuehnle, Patterson.

On motion of Mr. Savage, the following amendments were adopted:

On page 3, line 30 after "death" insert ", annulment,"

On page 3, line 31 after "decree" insert "of annulment"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Second Substitute Senate Bill No. 2241 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 2241 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 6; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueing, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger,

Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Dunlap, Freeman, Gilleland, Matthews, Polk, Whiteside.

Not voting: Representatives Kuehnle, Lysen, Martinis.

Second Substitute Senate Bill No. 2241 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION FOR RECONSIDERATION

Mr. Newhouse, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House failed to pass the House.

The motion was carried.

#### MOTIONS

On motion of Mr. Charette, further action on Engrossed Substitute Senate Joint Resolution No. 127 was deferred, and bill was ordered held for tomorrow's calendar.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Wednesday, May 14, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



**SIXTY-SECOND DAY**

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**MORNING SESSION**

---

House Chamber, Olympia, Wash., Wednesday, May 14, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Hurley (Margaret) and Lysen. Representative Hurley (Margaret) was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sherrill Fox and Steve McPherson. Prayer was offered by Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGE FROM THE GOVERNOR**

May 13, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 13, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 218: Implementing law relating to the state employees insurance board, including authorizing an added charge to premium contributions.

SUBSTITUTE HOUSE BILL NO. 651: Making changes in the laws relating to chiropractic.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

**MESSAGES FROM THE SENATE**

May 13, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2290,  
SENATE BILL NO. 2342,  
ENGROSSED SENATE BILL NO. 2359,  
SUBSTITUTE SENATE BILL NO. 2394,  
SENATE BILL NO. 2501,  
SUBSTITUTE SENATE BILL NO. 2689,  
ENGROSSED SENATE BILL NO. 2840,  
ENGROSSED SENATE BILL NO. 2863,  
ENGROSSED SENATE BILL NO. 2895,  
SUBSTITUTE SENATE BILL NO. 2938,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 13, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2242,  
SENATE BILL NO. 2513,  
SENATE BILL NO. 2690,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 13, 1975

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 112,  
SUBSTITUTE HOUSE BILL NO. 389,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 12, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 139,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 16,  
HOUSE BILL NO. 92.

## SENATE AMENDMENTS TO HOUSE BILL

May 7, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 141 with the following amendments:

On line 5 of the title in the engrossed bill, being line 6 of the printed bill, after "9.03.050;" and before "and" insert "providing a contingent repealer;"

On page 2, line 12 of the engrossed bill, being the last line of the House amendment to page 2, line 9 after "own use" and before "or kills" insert ", injures,"

On page 2, line 20 of the engrossed bill, being the last line of the House amendment to page 2, line 16, after "herein provided." insert a new paragraph as follows:

"Any owner who suffers damages as a result of a violation of this section may bring a civil action, in any court of competent jurisdiction, to recover exemplary damages up to three times the actual damages sustained."

On page 2, after section 3, insert a new section to read as follows:

"NEW SECTION. Sec. 4. Sections 1 and 2 of this 1975 amendatory act shall take effect as provided by the state Constitution and shall remain in effect until the effective date of the repeal of RCW 9.54.090 and 9.54.115 by section 9A.92.010, chapter . . . (Substitute Senate Bill No. 2092), Laws of 197. . ex. sess., at which time sections 1 and 2 of this 1975 amendatory act shall also be repealed."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Haussler moved that the House do now again concur in the Senate amendments to Engrossed House Bill No. 141.

Mr. Haussler explained that the amendments had been concurred in the previous day, but due to a misspelled word the amendments had been sent back to the Senate and it was now corrected.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 141 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 141 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 1; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, Knowles, Kuehnle, Laughlin.

Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Williams.

Not voting: Representatives Eng, Hawkins, Juelling, Kalich, King, Lee, Lysen, Nelson, Parker, Randall, and Mr. Speaker.

Engrossed House Bill No. 141 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 2342, by Senators Rasmussen, Henry and Wanamaker (by State Auditor request):

Requiring state auditor to audit municipal associations.

To Committee on State Government

SENATE BILL NO. 2501, by Senators Rasmussen, Wanamaker and Donohue (by State Auditor request):

Permitting departmental post-audits at reasonable intervals.

To Committee on State Government

#### REPORTS OF STANDING COMMITTEES

May 9, 1975

HOUSE BILL NO. 779, Prime Sponsor: Representative King, permitting employees of political subdivisions of the state to join the state employees' insurance and health care system. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Hendricks, McKibbin, Nelson, Williams.

To Committee on Rules for second reading.

May 12, 1975

HOUSE BILL NO. 1178, Prime Sponsor: Representative Sommers, relating to state government. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Hendricks, McKibbin, Nelson, Williams.

To Committee on Rules for second reading.

May 12, 1975

SENATE BILL NO. 2109, Prime Sponsor: Senator Donohue, requiring the deposit of application and inspection fees in the motor vehicle fund. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Bond, Ceccarelli, Charnley, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Kalich, Leckenby, Lee, McCormick, Schumaker, Seeberger, Sherman.

To Committee on Rules for second reading.

May 12, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2133, Original Prime Sponsor: Senator Lewis (Harry), authorizing payment of claims against state officers or employees from tort claims revolving fund. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Hendricks, McKibbin, Nelson, Williams.

To Committee on Rules for second reading.

May 13, 1975

ENGROSSED SENATE BILL NO. 2386, Prime Sponsor: Senator Guess, amending the laws providing for licensing of snowmobiles and providing for the distribution of such fees. Reported by Committee on Parks and Recreation.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.030 are each amended to read as follows:

No registration shall be required under the provisions of this chapter for the following described snowmobiles:

(1) Snowmobiles owned and operated by the United States, another state, or a political subdivision thereof.

(2) Snowmobiles owned and operated by this state, or by any municipality or political subdivision thereof.

(3) A snowmobile owned by a resident of another state if that snowmobile is registered in accordance with the laws of the state in which its owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state for snowmobiles registered in this state: **PROVIDED**, That any snowmobile which is validly registered in another state and which is physically located in this state for a period of more than ~~((sixty))~~ fifteen consecutive days shall be subject to registration under the provisions of this chapter.

~~((4) Snowmobiles operated exclusively on lands owned and under the control of the owner thereof.))~~

Sec. 2. Section 8, chapter 29, Laws of 1971 ex. sess. as last amended by section 3, chapter 128, Laws of 1973 1st ex. sess. and RCW 46.10.080 are each amended to read as follows:

The moneys collected by the department as snowmobile registration fees shall be distributed in the following manner:

(1) Ten percent each year for the first two years after August 9, 1971, and five percent each year for each year thereafter shall be retained by the department to cover expenses incurred in the administration of this chapter.

(2) Twenty-five percent each year shall be distributed to the treasurers of those counties of this state having significant snowmobile use in such sums or upon such a formula as shall be determined by the director after consulting with and obtaining the advice of the Washington state association of counties, and shall be deposited in the county ~~((general))~~ parks and recreation fund and expended ~~((to defray the cost of administering this chapter))~~ for snowmobile purposes.

(3) For the first two years after August 9, 1971, fifteen percent each year shall be remitted to the state treasurer for deposit into the general fund and shall be credited to the commission and shall be expended for snow removal operations at other than developed recreational facilities. Thereafter twenty percent each year shall be so remitted for such purposes: **PROVIDED**, That the unused portion of the moneys allotted to the commission for snow removal operations at other than developed recreational facilities, as provided for in this section and in RCW 46.10.150, from the registration moneys and the gasoline fuel tax, as of March 1 of the second year of the biennium shall revert to the snowmobile development and operation fund of the commission, which fund is hereby created.

(4) Fifty percent each year shall be remitted to the state treasurer to be deposited in the general fund, and forty percent of such fifty percent shall remain in the general fund and shall be subject to legislative appropriation until the cumulative totals of such amounts subject to legislative appropriation deposited under this section and under RCW 46.10.150 as now or hereafter amended shall equal forty thousand dollars, or shall equal so much of the appropriation under section 7 of this 1975 amendatory act as is actually used if the entire appropriation of forty thousand dollars is not used. The remainder of such fifty percent shall be credited in equal amounts to the commission, the department of natural resources, and the department of game and shall be expended on the development or operation of snowmobile facilities, but not on the acquisition ~~((or operation))~~ thereof. The commission, the department of natural resources and the department of game shall, not later than ~~((March 1st))~~ July 15 of each year, prepare and submit to the Washington state parks and recreation commission an annual report which shall indicate the purposes for which such amounts were expended.

Sec. 3. Section 15, chapter 29, Laws of 1971 ex. sess. as amended by section 4, chapter 128, Laws of 1973 1st ex. sess. and RCW 46.10.150 are each amended to read as follows:

From time to time, but at least once each biennium, the director shall request the state treasurer to refund from the motor vehicle fund amounts which have been determined to be a tax on snowmobile fuel, and the treasurer shall refund such amounts and place them in the general fund~~((-))~~; twenty-five percent of such amounts shall be credited to the commission and shall be expended by it for snow removal operations at other than developed recreational facilities; seventy-five percent of such amounts shall be credited~~((-))~~ as follows: Forty percent of such seventy-five percent to the general fund to be subject to legislative appropriation until the cumulative totals of such amounts subject to legislative appropriation under this section and under RCW 46.10.080(4) as now or hereafter amended shall equal forty thousand dollars, or shall equal so much of the appropriation under section 7 of this 1975 amendatory act as is actually used if the entire appropriation of forty thousand dollars is not used. The remainder of such seventy-five percent shall be credited in equal amounts, to the commission, department of natural resources,

and the department of game, and shall be expended for the development and/or operation, but not acquisition, of snowmobile facilities.

**NEW SECTION.** Sec. 4. There is added to chapter 46.10 RCW a new section to read as follows:

Each snowmobile dealer registered pursuant to the provisions of RCW 46.10.050 shall register the snowmobile or, in the event the snowmobile is currently registered, transfer the registration to the new owner prior to delivering the snowmobile to that new owner subsequent to the sale thereof by the dealer. Applications for registration and transfer of registration of snowmobiles shall be made to agents of the department authorized as such in accordance with RCW 46.01.140 and 46.01.150 as now or hereafter amended.

Sec. 5. Section 9, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.090 are each amended to read as follows:

It shall be unlawful for any person to operate any snowmobile:

- (1) At a rate of speed greater than reasonable and prudent under the existing conditions.
- (2) While under the influence of intoxicating liquor or narcotics or habit forming drugs.
- (3) In a manner so as to endanger the person or property of another.
- (4) Without a lighted headlight and taillight between the hours of dusk and dawn, or when otherwise required for the safety of others.
- (5) Without an adequate braking device which may be operated either by hand or foot.
- (6) Without an adequate and operating muffling device which shall effectively blend the exhaust and motor noise in such a manner so as to preclude excessive or unusual noise, and, on snowmobiles manufactured after January 4, 1973, which shall effectively maintain such noise at a level of eighty-two decibels or below on the "A" scale at one hundred feet under testing procedures as established by the Washington state patrol; except snowmobiles used in organized racing events in an area designated for that purpose may use a bypass or cutout device.
- (7) Upon the paved portion or upon the shoulder or inside bank or slope of any public roadway or highway, or upon the median of any divided highway, except as provided in RCW 46.10.100 and 46.10.110.
- (8) In any area or in such a manner so as to expose the underlying soil or vegetation, or to injure, damage, or destroy trees or growing crops.
- (9) Without a current registration decal affixed thereon, if not exempted under RCW 46.10.030 as now or hereafter amended.

Sec. 6. Section 19, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.190 are each amended to read as follows:

- (1) Except as provided in RCW 46.10.130, any person violating the provisions of this chapter shall be guilty of a misdemeanor: PROVIDED, That the penalty for failing to have a registration decal under RCW 46.10.090 as now or hereafter amended shall, upon conviction, be a fine of twenty-five dollars.
- (2) In addition to the penalties provided in subsection (1) of this section, the operator and/or the owner of any snowmobile used with the permission of the owner shall be liable for three times the amount of any damage to trees, shrubs, growing crops, or other property injured as the result of travel by such snowmobile over the property involved.

**NEW SECTION.** Sec. 7. There is added to chapter 46.10 RCW a new section to read as follows:

In order to establish a pilot program of cooperation between snowmobile users, county governments, and the state parks and recreation commission, there is hereby appropriated to the Washington state parks and recreation commission, forty thousand dollars or so much thereof as may be needed from the general fund for the purchase, operation, and maintenance of a snow groomer for use in maintaining and improving snowmobile trails: PROVIDED, That such forty thousand dollars or so much thereof as is actually used shall be repaid to the general fund by June 30, 1977, from moneys available pursuant to RCW 46.10.080(4) and 46.10.150 as now or hereafter amended. The state parks and recreation commission shall be responsible for the pilot program and shall report the results and expenses to the standing parks and recreation committees prior to the 1977 legislative session.

In line 1 of the title, after "snowmobiles;" strike the remainder of the title and insert the following: "amending section 3, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.030; amending section 8, chapter 29, Laws of 1971 ex. sess. as last amended by section 3, chapter 128, Laws of 1973 1st ex. sess. and RCW 46.10.080; amending section 9, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.090; amending section 15, chapter 29, Laws of 1971 ex. sess. as amended by section 4, chapter 128, Laws of 1973 1st ex. sess. and RCW 46.10.150; amending section 19, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.190; adding new sections to chapter 46.10 RCW; prescribing penalties; and making an appropriation."

Signed by Representatives Hurley (Margaret), Chairwoman; Gaines, Vice Chairman; Lee, Paris, Peterson, Randall, Seeberger.

To Committee on Rules for second reading.

May 9, 1975

SUBSTITUTE SENATE BILL NO. 2423, Original Prime Sponsor: Senator Rasmussen, prescribing changes in requirements for manufacture, sale, dispensing and possession of alcoholic beverages. Reported by Committee on State Government.

**MAJORITY recommendation:** Do pass with the following amendments;  
Strike everything after the enacting clause and insert the following:

"Section 1. Section 69, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 178, Laws of 1969 ex. sess. and RCW 66.08.050 are each amended to read as follows:

The board, subject to the provisions of this title and the regulations, shall

- (1) determine the localities within which state liquor stores shall be established throughout the state, and the number and situation of the stores within each locality;
- (2) appoint in cities and towns and other communities, in which no state liquor store is located, liquor vendors. Such liquor vendors shall be agents of the board and be authorized to sell liquor to such persons, firms or corporations as provided for the sale of liquor from a state liquor store, and such vendors shall be subject to such additional rules and regulations consistent with this title as the board may require;
- (3) establish all necessary warehouses for the storing and bottling, diluting and rectifying of stocks of liquors for the purposes of this title;
- (4) provide for the leasing for periods not to exceed ((five)) seven years of all premises required for the conduct of the business; and for remodeling the same, and the procuring of their furnishings, fixtures, and supplies; and for obtaining options of renewal of such leases by the lessee. The terms of such leases in all other respects shall be subject to the direction of the board;
- (5) determine the nature, form and capacity of all packages to be used for containing liquor kept for sale under this title;
- (6) execute or cause to be executed, all contracts, papers, and documents in the name of the board, under such regulations as the board may fix;
- (7) pay all customs, duties, excises, charges and obligations whatsoever relating to the business of the board;
- (8) require bonds from all employees in the discretion of the board, and to determine the amount of fidelity bond of each such employee;
- (9) perform all other matters and things, whether similar to the foregoing or not, to carry out the provisions of this title, and shall have full power to do each and every act necessary to the conduct of its business, including all buying, selling, preparation and approval of forms, and every other function of the business whatsoever, subject only to audit by the state auditor.

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 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.

Such entry of alcoholic beverages in excess of that herein provided may be authorized by the board upon payment of an equivalent markup and tax as would be applicable to the purchase of the same or similar liquor at retail from a state liquor store. The board shall adopt appropriate regulations pursuant to chapter 34.04 RCW for the purpose of carrying out the provisions of this section.

NEW SECTION. Sec. 3. There is added to chapter 66.12 RCW a new section to read as follows:

Notwithstanding any other provision of Title 66 RCW, a person twenty-one years of age or over may be authorized by the board to bring into the state of Washington from another state a reasonable amount of alcoholic beverages for personal or household use only upon payment of an equivalent markup and tax as would be applicable to the purchase of the same or similar liquor at retail from a state liquor store. The board shall adopt appropriate regulations pursuant to chapter 34.04 RCW for the purpose of carrying into effect the provisions of this section.

Sec. 4. Section 4, chapter 67, Laws of 1949 as last amended by section 7, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.20.190 are each amended to read as follows:

In addition to the presentation by the holder and verification by the licensee or store employee of such card of identification, the licensee or store employee who is still in doubt about the true age of the holder shall require the person whose age may be in question to sign a certification card and record an accurate description and serial number of his card of identification thereon. Such statement shall be upon a five-inch by eight-inch file card, which card shall be filed alphabetically by the licensee or store employee at or before the close of business on the day on which the statement is executed, in the file box containing a suitable alphabetical index and the card shall be subject to examination by any peace officer or agent or employee of the board at all times.

Sec. 5. Section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 66, Laws of 1974 ex. sess. and RCW 66.24.010 are each amended to read as follows:

(1) Every license shall be issued in the name of the applicant and the holder thereof shall not allow any other person to use the license.

(2) For the purpose of considering any application for a license, the board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. The board may, in its discretion, grant or refuse the license applied for. No retail license of any kind shall be issued to:

(a) ~~((A person who is not a citizen of the United States, except when the privilege is granted by treaty;~~  
 ((b)) A person who has not resided in the state for at least one month prior to making application, except in cases of licenses issued to dining places on railroads, boats, or aircraft;

~~((c))~~ (b) A person who has been convicted of a felony within five years prior to filing his application except as otherwise provided by chapter 9.96A RCW;

~~((d))~~ (c) A copartnership, unless all of the members thereof are qualified to obtain a license, as provided in this section;

~~((e))~~ (d) A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee;

~~((ff))~~ (e) A corporation, unless ~~(all of the officers thereof are citizens of the United States)~~ it was created under the laws of the state of Washington or holds a certificate of authority to transact business in the state of Washington.

(3) The board may, in its discretion, subject to the provisions of RCW 66.08.150, suspend or cancel any license; and all rights of the licensee to keep or sell liquor thereunder shall be suspended, or terminated, as the case may be. The board may appoint examiners who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under such rules and regulations as the board may adopt.

Witnesses shall be allowed fees at the rate of four dollars per day, plus ten cents per mile each way. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

In case of disobedience of any person to comply with the order of the board or a subpoena issued by the board, or any of its members, or examiners, or on the refusal of a witness to testify to any matter regarding which he may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or examiner, shall compel obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(4) Upon receipt of notice of the suspension or cancellation of a license, the licensee shall forthwith deliver up the license to the board. Where the license has been suspended only, the board shall return the license to the licensee at the expiration or termination of the period of suspension, with a memorandum of the suspension written or stamped upon the face thereof in red ink. The board shall notify all vendors in the city or place where the licensee has its premises of the suspension or cancellation of the license; and no employee shall allow or cause any liquor to be delivered to or for any person at the premises of that licensee.

(5) Unless sooner canceled, every license issued by the board shall expire at midnight of the thirtieth day of June of the fiscal year for which it was issued: PROVIDED, That the foregoing expiration date shall not apply to class A, B, C, D, or H licenses issued for premises located on the site of any world exposition approved by the Bureau of International Expositions held in this state, and such licenses shall be valid without renewal for a period of two hundred days from and including the opening day of such exposition, or from and including such earlier date specified by the applicant.

(6) Every license issued under this section shall be subject to all conditions and restrictions imposed by this title or by the regulations in force from time to time.

(7) Every licensee shall post and keep posted its license, or licenses, in a conspicuous place on the premises.

(8) Before the board shall issue a license to an applicant it shall give notice of such application to the chief executive officer of the incorporated city or town, if the application be for a license within an incorporated city or town, or to the board of county commissioners, if the application be for a license outside the boundaries of incorporated cities or towns; and such incorporated city or town, through the official or employee selected by it, or the board of county commissioners or the official or employee, selected by it, shall have the right to file with the board within twenty days after date of transmittal of such notice, written objections against the applicant or against the premises for which the license is asked, and shall include with such objections a statement of all facts upon which such objections are based, and in case written objections are filed, may request and the liquor control board may in its discretion hold a formal hearing subject to the applicable provisions of chapter 34.04 RCW, as now or hereafter amended. Upon the granting of a license under this title the board shall cause a duplicate of the license to be transmitted to the chief executive officer of the incorporated city or town in which the license is granted, or to the board of county commissioners if the license is granted outside the boundaries of incorporated cities or towns.

(9) Before the board issues any license to any applicant, it shall give due consideration to the location of the business to be conducted under such license with respect to the proximity of churches, schools and public institutions: PROVIDED, That the board shall issue no beer retailer license class A, B, or D or wine retailer license class C covering any premises not now licensed, if such premises are within five hundred feet of the premises of any church, parochial, or tax-supported public elementary or secondary school measured along the most direct route over or across established public walks, streets, or other public passageway from the outer property line of the church or school grounds to the nearest public entrance of the premises proposed for license, unless the board shall receive written notice from an official representative or representatives of the schools and/or churches within five hundred feet of said proposed licensed premises, indicating to the board that there is no objection to the issuance of such license because of proximity to a school or church. For the purpose of this section, church shall mean a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith.

(10) The restrictions set forth in the preceding subsection shall not prohibit the board from authorizing the transfer of existing licenses now located within the restricted area to other persons or locations within the restricted area: PROVIDED, Such transfer shall in no case result in establishing the licensed premises closer to a church or school than it was before the transfer.

Sec. 6. Section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 6, chapter 217, Laws of 1937 and RCW 66.28.010 are each amended to read as follows:

No manufacturer, importer, or wholesaler, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in any licensed retail business, nor shall any manufacturer or wholesaler own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person, under any arrangement whatsoever, conduct his business upon property in which any manufacturer or wholesaler has any interest, nor shall any manufacturer or wholesaler advance moneys or moneys' worth to any such licensed person under any arrangement whatsoever, nor shall any such licensed person receive, under any arrangement whatsoever, any such advance of moneys or moneys' worth. No manufacturer, importer, or wholesaler shall be eligible to receive or hold a retail license under this title, nor shall such manufacturer or wholesaler sell at retail any liquor as herein defined: PROVIDED, That nothing in this section shall prohibit a licensed brewer or domestic winery from being licensed as a retailer pursuant to chapter 66.24 RCW for the purpose of selling beer or wine of its own production at retail on the brewery or winery premises. Such beer and wine so sold at retail shall be subject to the taxes imposed by RCW 66.24.290 and RCW 66.24.210 and to reporting and bonding requirements as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW.

Financial interest, direct or indirect, as used in this section, shall include any interest, whether by stock ownership, mortgage, lien, or through interlocking directors, or otherwise.

Sec. 7. Section 14, chapter 21, Laws of 1969 ex. sess. as amended by section 3, chapter 275, Laws of 1969 ex. sess. and RCW 66.28.025 are each amended to read as follows:

No manufacturer of wine, or person financially interested, directly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in the business of any licensed wine wholesaler, nor shall any manufacturer of wine own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person under any arrangement whatsoever, conduct his business upon property in which any manufacturer of wine has any interest, nor shall any manufacturer of wine advance money or moneys' worth other than such credit allowances customarily extended in the ordinary course of such business between wholesalers and manufacturers on purchases of inventories to any such licensed person under any arrangement whatsoever, nor shall any such licensed person receive, under any arrangement whatsoever, any such advance of money or moneys' worth other than such credit allowances: PROVIDED, That the provisions of this section shall not ((apply to any)) require the divesting of any such financial interest or arrangement which was held by any licensed liquor importer, beer importer, beer wholesaler, wine wholesaler, domestic winery or domestic brewery ((which was licensed)) as of ((the date of passage of this 1969 amendatory act)) July 1, 1969: PROVIDED FURTHER, That in the event of the sale of such business licensed as a liquor importer, beer importer, beer wholesaler, wine wholesaler, domestic winery or domestic brewery the exclusion of the foregoing proviso shall not apply.

Sec. 8. Section 27-D added to chapter 62, Laws of 1933 ex. sess. by section 8, chapter 172, Laws of 1939 as amended by section 6, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.030 are each amended to read as follows:

Every licensed brewer, domestic winery, manufacturer holding a certificate of approval, licensed wine importer and licensed beer importer shall be responsible for the conduct of any licensed beer or wine wholesaler in selling, or contracting to sell, to retail licensees, beer or wine manufactured by such brewer, domestic winery, manufacturer holding a certificate of approval or imported by such beer or wine importer. Where the board finds that any licensed beer or wine wholesaler has violated any of the provisions of this title or of the regulations of the board in selling or contracting to sell beer or wine to retail licensees, the board may, in addition to any punishment inflicted or imposed upon such wholesaler, prohibit the sale of the brand or brands of beer or wine involved in such violation to any or all retail licensees within the trade territory usually served by such wholesaler for such period of time as the board may fix, irrespective of whether the brewer manufacturing such beer or the beer importer importing such beer or the domestic winery manufacturing such wine or the wine importer importing such wine or the certificate of approval holder manufacturing such beer or wine actually participated in such violation.

NEW SECTION. Sec. 9. There is added to chapter 62, Laws of 1933 ex. sess. and to chapter 66.28 RCW a new section to read as follows:

The legislature finds the furnishing of samples of liquor to the state liquor control board is an integral and essential part of the operation of the state liquor business. The legislature further finds that it is necessary to establish adequate standards for the accountability of the receipt, use and disposition of liquor samples. The board shall adopt appropriate regulations pursuant to chapter 34.04 RCW for the purpose of carrying out the provisions of this section.

Sec. 10. Section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.040 are each amended to read as follows:

No brewer, wholesaler, distiller, winery, importer, rectifier, or other manufacturer of liquor shall, within the state, by himself, his clerk, servant, or agent, give to any person any liquor; but nothing in this section shall prevent the furnishing of samples of liquor to the board for the purpose of negotiating the sale of liquor to the state liquor control board, and nothing in this section shall prevent a brewer from serving beer without charge, on the brewery premises ~~((to employees and casual visitors))~~, and nothing in this ~~((act))~~ section shall prevent a domestic winery from ~~((selling or))~~ serving wine ~~((of its own production))~~ without charge, on the winery premises ~~((to employees and casual visitors: Such wine so sold shall be subject to the tax imposed by RCW 66.24.210)).~~

NEW SECTION. Sec. 11. There is added to chapter 62, Laws of 1933 ex. sess. and to chapter 66.24 RCW a new section to read as follows:



The board may refund the tax on wine imposed by RCW 66.24.210, and the tax on beer imposed by RCW 66.24.290, when such taxpaid products have been deemed to be unsalable and are destroyed within the state in accordance with procedures established by the board.

**NEW SECTION.** Sec. 12. If any phrase, clause, subsection, or section of this 1975 amendatory act shall be declared unconstitutional or invalid by any court of competent jurisdiction, it shall be conclusively presumed that the legislature would have enacted this 1975 amendatory act without the phrase, clause, subsection, or section so held unconstitutional or invalid and the remainder of the act shall not be affected as a result of said part being held unconstitutional or invalid.

**NEW SECTION.** Sec. 13. This 1975 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 July 1, 1975."

In line 1 of the title, after "liquor;" strike the remainder of the title and insert the following: "amending section 69, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 178, Laws of 1969 ex. sess. and RCW 66.08.050; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 4, chapter 67, Laws of 1949 as last amended by section 7, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.20.190; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 66, Laws of 1974 ex. sess. and RCW 66.24.010; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 6, chapter 217, Laws of 1937 and RCW 66.28.010; amending section 14, chapter 21, Laws of 1969 ex. sess. as amended by section 3, chapter 275, Laws of 1969 ex. sess. and RCW 66.28.025; amending section 27-D added to chapter 62, Laws of 1933 ex. sess. by section 8, chapter 172, Laws of 1939 as amended by section 6, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.030; amending section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.040; adding a new section to chapter 66.12 RCW; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.28 RCW; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.24 RCW; prescribing penalties; providing an effective date; and declaring an emergency."

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, McKibbin, Nelson.

To Committee on Rules for second reading.

May 12, 1975

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2526**, Original Prime Sponsor: Senator Washington, providing for the conservation and protection of archaeological resources. Reported by Committee on State Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, McKibbin, Williams.

To Committee on Rules for second reading.

May 12, 1975

**ENGROSSED SENATE BILL NO. 2634**, Prime Sponsor: Senator Mardesich, authorizing allowances for legislative members-elect. Reported by Committee on State Government.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 10 after "per diem" strike "and mileage" and insert ", mileage, and incidental expense"

On page 1, line 11 after "prescribed in" strike "RCW 44.04.120" and insert "chapter 44.04 RCW"

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Hendricks, McKibbin, Nelson, Williams.

To Committee on Rules for second reading.

May 13, 1975

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2715**, Original Prime Sponsor: Senator Gould, authorizing delay of school district preliminary budgets. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, strike all of section 1 and insert the following:

"Section 1. Section 28A.65.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.65.070 are each amended to read as follows:

The board of directors shall immediately after the compilation of said preliminary budget publish a notice stating that the board of directors has completed the preliminary budget and placed the same on file with the school district superintendent, that a copy thereof will be furnished any taxpayer who will call upon the superintendent for it, and that the board of directors will meet for the purpose of fixing and adopting the preliminary budget of the district for the ensuing fiscal year. Such notice shall designate the date, time, and place of said meeting which shall occur on or before the first day of June: PROVIDED,

That if the state legislature has not appropriated by the tenth of May moneys under RCW 28A.41.050 needed for the support of the common schools, said meetings for districts of the first class shall occur on or before the fifteenth of June. The notice shall also state that any taxpayer may appear thereat and be heard for or against any part of such budget. Said notice shall be published once each week for two consecutive weeks immediately following the compilation of the preliminary budget in a newspaper of general circulation in the district, or, if there be none, in a newspaper of general circulation in the county. The board of directors shall provide a sufficient number of copies of the preliminary budget to meet the reasonable demands of the taxpayers therefor, and the same shall be made available for distribution not later than two weeks immediately preceding the date set for the public hearing."

On page 1, beginning on line 1 of the title, after "budgets;" strike all material down to and including "28A.65.010" on line 4 and insert "amending section 28A.65.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.65.070"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Dunlap, Ehlers, Eng, Fortson, Haley, Hayner, Hendricks, Valle, Whiteside.

To Committee on Rules for second reading.

May 13, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2808, Original Prime Sponsor: Senator Fleming, expanding the membership of the municipal research council. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Adams, Amen, Cochrane, Fischer, Lee, Wilson, Zimmerman.

To Committee on Rules for second reading.

May 13, 1975

SUBSTITUTE SENATE BILL NO. 2966, Original Prime Sponsor: Senator Sellar, allowing fire districts to authorize and issue local improvement bonds and warrants. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Adams, Amen, Cochrane, Fischer, Lee, Wilson, Zimmerman.

To Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 2242,  
SENATE BILL NO. 2513,  
SENATE BILL NO. 2690.

#### APPOINTMENT OF CONFEREES

The Speaker appointed as conferees on ENGROSSED HOUSE BILL NO. 95, Representatives Becker, Boldt and Haley.

The Speaker appointed as conferees on HOUSE BILL NO. 171, Representatives Hansen, Douthwaite and Patterson.

The Speaker appointed as conferees on ENGROSSED HOUSE BILL NO. 172, Representatives Chatalas, Sommers and Nelson.

The Speaker appointed as conferees on ENGROSSED HOUSE BILL NO. 205, Representatives Bauer, Erickson and Eikenberry.

The Speaker appointed as conferees on ENGROSSED HOUSE BILL NO. 278, Representatives Shinpoch, Conner and Matthews.

#### SECOND READING

HOUSE BILL NO. 519, by Representatives Pardini, Randall, Hawkins and Gilleland:

Pertaining to local business and occupation taxes.

The bill was read the second time.

Committee on Ways and Means – Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-ninth Day ex. sess., May 1, 1975.)

Mr. Randall moved adoption of the committee amendments.

Mr. Nelson moved adoption of the following amendments to the committee amendments:

On page 1, line 7 after "guidelines" strike "may" and insert "shall"

On page 1, line 8 after "tax" strike everything down to and including "cases." on the last line of the amendment.

Mr. Nelson spoke in favor of the amendments to the committee amendments, and Mr. Randall spoke against them.

The amendments to the committee amendments were not adopted.

The committee amendments were adopted.

House Bill No. 519 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 519 was placed on final passage.

Representative Randall spoke in favor of passage of the bill, and Mr. Nelson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 519, and the bill passed the House by the following vote: Yeas, 73; nays, 19; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Perry, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bond, Chandler, Dunlap, Fischer, Flanagan, Fortson, Freeman, Greengo, Hendricks, Juelling, Kuehnle, Matthews, Nelson, North, Patterson, Peterson, Schumaker, Wilson, Zimmerman.

Not voting: Representatives Amen, Gilleland, Haley, Hayner, Hurley M., Lysen.

Engrossed House Bill No. 519, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 623, by Representatives Bagnariol, Sommers and Hendricks:

Permitting departmental post-audits at reasonable intervals.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-seventh Day ex. sess., April 29, 1975.)

On motion of Ms. Sommers, the committee amendments were adopted.

House Bill No. 623 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 623 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 623, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Chatalas, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch,

Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Cochrane, Douthwaite, Williams.

Not voting: Representatives Bender, Chandler, Clemente, Hurley M., Lysen.

Engrossed House Bill No. 623, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 624, by Representatives Randall, Pardini and Kilbury:

Defining "regular property tax levies" for port district purposes.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-first Day ex. sess., April 23, 1975.)

On motion of Mr. Randall, the committee amendment to page 1, line 15 was adopted.

The committee amendment to page 1, adding a new section 2 was not adopted.

Mrs. Erickson moved adoption of the following amendment by Representatives Erickson, Hawkins and Nelson:

On page 1, add a new section following the enacting clause as follows:

"Section 1. Section 12, chapter 65, Laws of 1955 as last amended by section 32, chapter 42, Laws of 1970 ex. sess. and RCW 53.36.030 are each amended to read as follows:

A district may at any time contract indebtedness or borrow money for district purposes and may issue general obligation bonds ((therefor not exceeding an amount, together with any existing indebtedness of the district not authorized by the voters, of one-fourth of one percent of the value of the taxable property in the district; and,)) with the assent of three-fifths of the voters voting thereon at a general or special port election called for that purpose, may contract indebtedness or borrow money for district purposes and may issue general obligation bonds therefor provided the total indebtedness of the district at any such time shall not exceed ((three-fourths of)) one percent of the value of the taxable property in the district: PROVIDED FURTHER, That port districts having less than two hundred million dollars in value of taxable property and operating a municipal airport may at any time contract indebtedness or borrow money for airport capital improvement purposes and may issue general obligation bonds therefor not exceeding an additional one-eighth of one percent of the value of the taxable property in the district without authorization by the voters; and, with the assent of three-fifths of the voters voting thereon at a general or special port election called for that purpose, may contract indebtedness or borrow money for airport capital improvement purposes and may issue general obligation bonds therefor for an additional three-eighths of one percent provided the total indebtedness of the district for all port purposes at any such time shall not exceed one and one-fourth percent of the value of the taxable property in the district. Any district may issue general district bonds evidencing any indebtedness, payable at any time not exceeding fifty years from the date of the bonds."

Renumber the remaining section consecutively.

Representatives Erickson, Charnley, Hawkins and Moon spoke in favor of the amendment, and Representatives Randall and Conner spoke against it.

Mr. Chatalas demanded an electric roll call and the demand was sustained.

Mr. Martinis spoke in opposition to the amendment, and Mr. Nelson spoke in favor of it.

#### POINT OF ORDER

Mr. Martinis: "Mr. Speaker, Representative Nelson is going into the bill that is before us and the amendment that is before us has nothing to do with the 106% limitation."

#### SPEAKER'S RULING

The Speaker: "If I understand the amendment correctly, you are talking about inside and outside the levy and it has a lot to do with the 106%, because on anything that is voted outside the levy it could possibly go beyond—it would be an outside levy rather than an inside—so this is something that is very much in contest here."

Mr. Nelson continued his remarks in opposition to the amendment.

Mr. O'Brien spoke against the amendment.

#### POINT OF ORDER

Mr. Berentson: "I think Representative O'Brien is confusing House Bill No. 624 with House Bill No. 611."

The Speaker: "The subject we are considering is the amendment to House Bill No. 624, Mr. O'Brien, so if you will confine your remarks to this bill, please."

Mr. O'Brien: "It's pretty hard to talk about House Bill No. 624 when we have a very important piece of legislation, House Bill No. 611, which can't get out of Rules Committee."

The Speaker: "Representative O'Brien, the Speaker can find no difficulty at all in talking about House Bill No. 624 separately from House Bill No. 611, so I would appreciate it if you would confine your remarks."

Mr. O'Brien continued his remarks in opposition to the amendment.

Mr. Pardini spoke against the amendment, and Mrs. Erickson closed debate, speaking again in favor of it.

#### MOTION

Mr. Newhouse moved that further action on House Bill No. 624 be deferred, and the bill be held for tomorrow's second reading calendar.

Mr. Charnley spoke against the motion.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Douthwaite: "The emergency amendment which failed was going to be moved for reconsideration today, and if we hold this over until tomorrow is it still in order to reconsider that committee amendment?"

#### SPEAKER'S RULING

The Speaker: "The Chair has ruled that the motion to reconsider an amendment must be done on the same day that the amendment was voted upon. Therefore, it would probably be too late tomorrow."

Mr. Douthwaite: "Therefore I assume the only way we can move to reconsider that committee amendment is to defeat the motion in front of us?"

The Speaker: "Or move for a suspension of the rules tomorrow to reconsider it. It would take a two-thirds vote if you wanted to do it tomorrow. A motion to reconsider is a privileged motion over the motion to set aside to a day certain and since we have not placed the motion for vote, if somebody wishes to move to reconsider, that could be considered at the present time."

#### MOTION FOR RECONSIDERATION

Mr. Douthwaite, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the committee amendment adding a new section 2 failed to pass the House.

Mr. Randall spoke in favor of the motion to reconsider.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Flanagan.

Mr. Flanagan: "You didn't say what bond issue or what port district, and I was wondering if this port district already has some form of a property tax levy?"

Mr. Randall: "Sure."

Mr. Flanagan: "Do they already have a bond issue for which they are levying a property tax to pay debt service?"

Mr. Randall: "Yes, they are currently, and their bond issue is phasing out. The port district has a major bond issue coming out for the purchase of Pier 91 in Seattle. They have a retiring bond issue, or a bond issue maturing, that allows them to issue this general obligation bond issue under their limitation, a quarter of one percent."

The motion to reconsider the committee amendment was carried.

The Speaker stated the question before the House to be the motion by Mr. Newhouse to defer action on House Bill No. 624 until tomorrow.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Newhouse to defer further action on House Bill No. 624 and place it on tomorrow's second reading calendar, and the motion was carried by the following vote: Yeas, 61; nays, 32; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Berentson, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Deccio, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hayner, Hendricks, Jastad, Juelling, King, Knowles, Kuehnle, Leckenby, Luders, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Polk, Schumaker, Seeberger, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Becker, Bender, Blair, Brown, Charnley, Clemente, Cochran, Conner, Curtis, Douthwaite, Ehlers, Erickson, Haussler, Hawkins, Hurley G. S., Kalich, Kilbury, Laughlin, Lee, Moon, Nelson, North, Peterson, Randall, Savage, Sherman, Smith R., Valle, Warnke, Williams, Wojahn.

Not voting: Representatives Haley, Hurley M., Lysen, Maxie, Perry.

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representative Hurley (Margaret), who was excused.

## MOTION

On motion of Mr. Curtis, the House reverted to the fourth order of business.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2290, by Senators Day and Walgren:

Appropriating funds to counties to aid in operation of criminal justice system.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 2359, by Senators Rasmussen, Donohue and Morrison:

Designating membership of state committee on salaries, its duties, and fixing maximum salaries of certain appointees and statutory assistant directors.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 2394, by Committee on Natural Resources (Originally sponsored by Senators Peterson, Lewis (Harry) and Rasmussen):

Authorizing department of natural resources to acquire property for access to state owned or managed lands.

To Committee on Natural Resources

SUBSTITUTE SENATE BILL NO. 2689, by Committee on Education (Originally sponsored by Senators Bailey, Murray and Sandison):

Regulating school-related photography services.

To Committee on Education

ENGROSSED SENATE BILL NO. 2840, by Senator Francis:

Relating to sentencing.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 2863, by Senators Marsh, McDermott and Gould:

Compelling action by school boards to assure physical safety of pupils.

To Committee on Education

ENGROSSED SENATE BILL NO. 2895, by Senators Day, Jones and Ridder:

Amending law relating to blind vendors in public buildings.

To Committee on Social and Health Services

SUBSTITUTE SENATE BILL NO. 2938, by Committee on Labor (Originally sponsored by Senators Lewis (Harry), Morrison, Sellar, Guess, Grant, Peterson, Ridder and Matson):

Authorizing the director of the department of labor and industries to establish industrial health and safety programs for employers.

To Committee on Labor

#### REPORTS OF STANDING COMMITTEES

May 13, 1975

HOUSE BILL NO. 200, Prime Sponsor: Representative Thompson, implementing state teachers retirement system laws, including expanding benefits for present retirement recipients. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives, Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Amen, Bausch, Blair, Boldt, Ehlers, Flanagan, Freeman, Gaspard, Hawkins, Hurley (George), Hurley (Margaret), Kilbury, McKibbin, Moreau, North, Polk, Smith (Edward), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 13, 1975

HOUSE BILL NO. 778, Prime Sponsor: Representative Charnley, increasing certain benefits to retirees under teachers' retirement act. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, immediately following section 1 insert a new section as follows:

"NEW SECTION. Sec. 2. To carry out the provisions of this 1975 amendatory act there is hereby appropriated from the general fund for the biennium ending June 30, 1977 the sum of three million three hundred thousand dollars, or so much thereof as may be necessary."

Renumber the following sections consecutively.

On page 1, line 2 of the title after "41.32 RCW;" insert "making an appropriation;"

Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Bausch, Blair, Boldt, Ehlers, Flanagan, Gaspard, Hawkins, Hurley (George), Hurley (Margaret), Kilbury, McKibbin, Moreau, North, Polk, Smith (Edward), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 12, 1975

HOUSE BILL NO. 845, Prime Sponsor: Representative Kilbury, relating to agriculture. Reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Brown, Hawkins, Hurley (George), Kilbury, Moon, Moreau, Sommers.

To Committee on Rules for second reading.

May 13, 1975

HOUSE BILL NO. 867, Prime Sponsor: Representative Bagnariol, relating to appropriations. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Amen, Bausch, Boldt, Curtis, Ehlers, Flanagan, Gaspard, Hawkins, Hurley (George), Hurley (Margaret), Kilbury, McKibbin, Moreau, North, Polk, Smith (Edward), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 14, 1975

HOUSE BILL NO. 890, Prime Sponsor: Representative Bauer, relating to education. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ways and Means.

May 14, 1975

HOUSE BILL NO. 1025, Prime Sponsor: Representative Freeman, relating to the funding of the common schools. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ways and Means.

May 9, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2727, Prime Sponsor: Senator Sellar, setting compensation for port commissioners. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 23 after "That" strike all the matter down to and including "act" on line 25 and insert "in the case of a port district when commissioners are receiving compensation and contributing to the Public Employees' Retirement System, these benefits"

Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Kalich, Laughlin, Adams, Cochrane, Eng, Fischer, McCormick, Whiteside.

To Committee on Rules for second reading.

#### MESSAGE FROM THE SENATE

May 14, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 16,  
HOUSE BILL NO. 92,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker called the House to order.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Curtis: "Notice was served yesterday on reconsideration of a vote on Engrossed Substitute Senate Joint Resolution No. 127. Can we hold it over another day?"

The Speaker "The motion carried and that returned it to the third reading calendar. It presently is on the third reading calendar and will continue there until we address the situation."

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Thursday, May 15, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## SIXTY-THIRD DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Thursday, May 15, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Katy Hanley and Kyle Kelley. Prayer was offered by Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

May 14, 1975

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 170,  
HOUSE BILL NO. 175,  
SUBSTITUTE HOUSE BILL NO. 183,  
HOUSE BILL NO. 627,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 14, 1975

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2469,  
ENGROSSED SENATE BILL NO. 2723,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2734,  
SENATE BILL NO. 2956,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 14, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2110,  
SENATE BILL NO. 2131,  
SENATE BILL NO. 2143,  
SECOND SUBSTITUTE SENATE BILL NO. 2235,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2469, by Committee on Financial Institutions (Originally sponsored by Senators Francis, Murray and Woody):

Revising law relating to handling of trusts by mutual savings banks.

To Committee on Financial Institutions

ENGROSSED SENATE BILL NO. 2723, by Senators Bottiger and Woody:

Limiting the use of criminal offender records and prescribing procedures.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 2734, by Committee on State Government (Originally sponsored by Senators Rasmussen, Lewis (Harry), Bailey and Donohue):

Prescribing changes in shoreline management provisions.

To Committee on Ecology

SENATE BILL NO. 2956, by Senators Jolly, Peterson and Sellar:

Relating to the state building code.

To Committee on Local Government

#### REPORTS OF STANDING COMMITTEES

May 13, 1975

SENATE BILL NO. 2348, Prime Sponsor: Senator Walgren, requiring cities, towns, and counties to report to director of highways on plans for bicycle, pedestrian and equestrian expenditures. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 18 after "moneys" insert ", including funds made available pursuant to chapter 47.30 RCW,"

On page 3, line 26 after "moneys" insert ", including funds made available pursuant to chapter 47.30 RCW,"

Signed by Representatives Perry, Chairman; Barnes, Bender, Chandler, Charnley, Clemente, Conner, Douthwaite, Gallagher, Gilleland, Hansen, Kalich, Laughlin, Leckenby, Lee, Lysen, McCormick, Sherman.

To Committee on Rules for second reading.

May 13, 1975

SENATE BILL NO. 2607, Prime Sponsor: Senator Walgren, revising priorities for state highway improvements. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Barnes, Bender, Bond, Chandler, Charnley, Clemente, Conner, Gaines, Gallagher, Gilleland, Hansen, Hayner, Kalich, Laughlin, Lysen, McCormick, Schumaker, Seeberger, Sherman.

To Committee on Rules for second reading.

May 13, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2833, Original Prime Sponsor: Senator Wanamaker, relating to railroad grade crossing protective devices. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 5 of the engrossed substitute bill, being page 3, line 34 of the printed substitute bill, following "installation." strike the balance of the section and insert "The railroad whose road is crossed by the highway, street, or road shall thereafter pay the entire cost of maintaining the device: PROVIDED, That if such device is installed at the direction of the commission pursuant to RCW 81.53.271 and results in a reduction in the amount of the appropriation to the grade crossing protective fund pursuant to section 2 of this 1975 amendatory act, then the cost of maintaining the device shall be apportioned by the commission: (1) twenty-five percent to the grade crossing protective fund, created by RCW 81.53.281, and (2) seventy-five percent to the railroad."

Signed by Representatives Perry, Chairman; Barnes, Bender, Bond, Chandler, Charnley, Clemente, Douthwaite, Gaines, Gallagher, Gilleland, Hansen, Hayner, Kalich, Laughlin, Leckenby, Lee, McCormick, Schumaker, Seeberger, Sherman.

To Committee on Rules for second reading.

May 13, 1975

ENGROSSED SENATE BILL NO. 2894, Prime Sponsor: Senator Day, permitting ambulance service to claim lien against a tort-feasor. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Fischer, Fortson, Greengo, Hanna, Hendricks, May, Peterson, Tilly.

To Committee on Rules for second reading.

## MESSAGE FROM THE SENATE

May 13, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 385, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the report of the Free Conference Committee, is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

May 8, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 385, increasing the assessment per head on cattle, have had the same under consideration, and we recommend that the Senate amendment be not adopted and the following substitute amendment be adopted:

On page 1, line 8 after "sale:" strike "PROVIDED" and insert "PROVIDED, That on July 1, 1977 the assessment of twenty cents per head shall be reduced to ten cents per head, unless the director finds, after a hearing held in accordance with the Administrative Procedures Act, RCW 34.04, which shall be held at least sixty days prior to July 1, 1977, that the assessment should be otherwise, but in no instance may such assessment exceed twenty cents per head: PROVIDED FURTHER"

Signed by Senators Benitz, Jolly and Wilson; Representatives Amen, Hansen and Kilbury.

## MOTION

On motion of Mr. Kilbury, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 385 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on final passage of Engrossed House Bill No. 385 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 78; nays, 3; not voting, 17.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greeno, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Martinis, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Gilleland, Kuehnle.

Not voting: Representatives Blair, Dunlap, Eng, Flanagan, Freeman, Haley, Hansey, Jueling, Leckenby, Luders, Lysen, Matthews, Maxie, North, Pardini, Smith R., Williams.

Engrossed House Bill No. 385 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

Please record our votes on Engrossed House Bill No. 385 as "Yes."

RON DUNLAP, 41st District.

KEMPER FREEMAN, 48th District.

## SECOND READING

HOUSE BILL NO. 624, by Representatives Randall, Pardini and Kilbury:

Defining "regular property tax levies" for port district purposes.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the committee amendment on page 1, adding a new section 2.

Representatives Randall and Conner spoke in favor of the amendment, and it was adopted.

The Speaker assumed the Chair.

The Speaker stated the question before the House to be the amendment by Representatives Erickson, Hawkins and Nelson to page 1, adding a new section 1.

Representatives Erickson, Nelson, Moon, Charnley and North spoke in favor of the amendment, and Representatives Randall, Martinis, Conner, Savage and Bausch spoke against it.

Mr. Chatalas demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Erickson, Hawkins and Nelson to House Bill No. 624, and the amendment was not adopted by the following vote: Yeas, 32; nays, 64; not voting, 2.

Voting yea: Representatives Becker, Blair, Chandler, Charnley, Clemente, Cochrane, Curtis, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fortson, Freeman, Gaspard, Gilleland, Haussler, Hawkins, Hurley M., Kuehne, Lee, Lysen, Moon, Nelson, North, Patterson, Peterson, Polk, Schumaker, Sherman, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Charette, Chatalas, Conner, Deccio, Douthwaite, Fischer, Flanagan, Gaines, Gallagher, Greengo, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Haley, Pardini.

#### MOTION FOR RECONSIDERATION

Mr. Hurley (George), having voted on the prevailing side, moved that the House now reconsider the vote by which the Erickson/Hawkins/Nelson amendment failed to pass the House.

Mr. Hurley (George) spoke in favor of the motion, and Mr. Leckenby spoke against it.

Mr. Ehlers demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Hurley (George) to reconsider the vote by which the Erickson/Hawkins/Nelson amendment failed to pass the House, and the motion was lost by the following vote: Yeas, 24; nays, 70; not voting, 4.

Voting yea: Representatives Blair, Charnley, Clemente, Dunlap, Ehlers, Erickson, Fortson, Freeman, Gaspard, Gilleland, Greengo, Hansen, Hurley G. S., Hurley M., Lee, Moon, Nelson, North, Peterson, Polk, Schumaker, Sherman, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Charette, Chatalas, Cochrane, Conner, Curtis, Deccio, Douthwaite, Eikenberry, Eng, Fischer, Flanagan, Gaines, Gallagher, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Barnes, Chandler, Kuehne, Tilly.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan and Amen:

On page 1, line 13 after "district:" beginning with "PROVIDED" strike all material down to and including "indebtedness" and insert "PROVIDED, That levies for the payment of debt service that have been approved by the people within the port district as provided by law shall not be considered as levies subject to the 106% limitation as provided in RCW 84.55.010"

Representatives Flanagan, Amen and Nelson spoke in favor of the amendment, and Mr. Randall spoke against it.

Mr. Flanagan closed debate, speaking again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Flanagan and Amen to House Bill No. 624, and the amendment was adopted by the following vote: Yeas, 70; nays, 20; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Blair, Boldt, Bond, Ceccarelli, Chandler, Ceccarelli, Charnley, Clemente, Cochrane, Curtis, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, North, Paris, Patterson, Perry, Peterson, Polk, Schumaker, Sherman, Tilly, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Charette, Chatalas, Conner, Douthwaite, Fischer, Kalich, Kilbury, Leckenby, O'Brien, Pardini, Parker, Randall, Savage, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Warnke.

Not voting: Representatives Berentson, Brown, Deccio, Gallagher, Moreau, Newhouse, Seeberger, Valle.

The committee amendment to the title was adopted.

House Bill No. 624 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 624 was placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 624, and the bill passed the House by the following vote: Yeas, 79; nays, 17; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Matthews, Maxie, May, McCormick, Moon, Moreau, Newhouse, O'Brien, Paris, Parker, Perry, Peterson, Polk, Randall, Schumaker, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Charette, Ehlers, Erickson, Kalich, King, Lysen, Martinis, McKibbin, Nelson, North, Pardini, Savage, Seeberger, Sherman, Wilson, Wojahn.

Not voting: Representatives Gaspard, Patterson.

Engrossed House Bill No. 624, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 112,  
HOUSE BILL NO. 141,  
SUBSTITUTE HOUSE BILL NO. 389,  
SUBSTITUTE SENATE BILL NO. 2110,  
SENATE BILL NO. 2131,  
SENATE BILL NO. 2143,  
SECOND SUBSTITUTE SENATE BILL NO. 2235.

The Speaker called on Mr. O'Brien to preside.

HOUSE BILL NO. 840, by Representative Randall:

Relating to revenue and taxation.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Fortieth Day ex. sess., April 22, 1975.)

On motion of Mr. Randall, the committee amendments were adopted.

House Bill No. 840 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 840 was placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 840, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Charette, Conner, Kuehne, Schumaker.

Not voting: Representatives Blair, Cochrane, Hanna, North, and Mr. Speaker.

Engrossed House Bill No. 840, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 496, by Representatives Knowles, Seeberger, Gaspard, Newhouse and Hanna (by Executive request):

Enacting the Juvenile Justice Act of 1975.

The bill was read the second time.

On motion of Mr. Seeberger, Substitute House Bill No. 496 was substituted for House Bill No. 496, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 496 was read the second time.

Mr. Eikenberry moved adoption of the following amendment by Representatives Eikenberry and Seeberger:

On page 8, line 12 after "plan" insert ", and at reasonable intervals shall provide draft copies of the developing plan to the House and Senate standing committees on Judiciary"

Representatives Eikenberry, Hayner and Knowles spoke in favor of the amendment, and it was adopted.

On motion of Mr. Eikenberry, the following amendments by Representatives Eikenberry and Seeberger were adopted:

On page 8, line 17 after "1976," insert "and annually thereafter,"

On page 11, beginning on line 11 strike "has committed a juvenile offense or is needing care" and insert "is dependent or delinquent"

On page 17, line 13 after "court" insert "or delivery to an intake counselor"

On page 18, line 34 after "receiving it" strike "comprehends those rights and also comprehends" and insert "has reasonable opportunity to comprehend those rights and also has reasonable opportunity to comprehend"

On page 23, line 27 after "place of child" insert "suspected of having committed a juvenile offense"

On page 37, line 12 after "counselor in" strike "his or her" and insert "the child's"

Mr. Eikenberry moved adoption of the following amendment:

On page 37, line 35 insert a new subsection to read as follows:

"(3) If the court finds that (a) the child is dependent by reason of having run away from his or her parent, parents or guardian and that (b) the parent, parents or guardian have not waived in writing the right to the care, custody and control of the child and (c) in the absence of a finding by the court that the child's parent, parents or guardian are unfit to have the care, custody and control of the child, then in that event, the court shall either (i) place the child under the supervision of a juvenile court counselor in the child's own home under conditions prescribed by the court including reasonable rules for his or her conduct and the conduct of his or her parent, parents or guardian over whom the court has jurisdiction; or (ii) place custody of the child in the department of social and health services for placement in a shelter care facility which shall be a security quarters."

Mr. Eikenberry spoke in favor of the amendment, and Mr. Seeberger spoke against it.

Mr. Eikenberry spoke again in favor of the amendment, and Mr. Hanna spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Mrs. Hayner spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eikenberry to Substitute House Bill No. 496, and the amendment was not adopted by the following vote: Yeas, 35; nays, 61; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kuehnle, Leckenby, Lee, Matthews, May, Nelson, Newhouse, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Pardini, Whiteside.

On motion of Mr. Seeberger, the following amendment was adopted:

On page 53, line 4 strike "January" and insert "July"

Substitute House Bill No. 496 was ordered engrossed.

Mr. Thompson moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 496 be placed on final passage.

Mr. Eikenberry spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute House Bill No. 496 to final passage, and the motion did not receive the necessary two-third majority, by the following vote: Yeas, 63; nays, 35; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jueling, Kuehnle, Leckenby, Lee, Matthews, May, Nelson, Newhouse, Pardini, Paris, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Engrossed Substitute House Bill No. 496 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 915, by Representatives Adams, Becker, Bagnariol and Parker:

Relating to social service planning, funding and delivery.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 915 was substituted for House Bill No. 915, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 915 was read the second time.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 915 was placed on final passage.

Ms. Becker spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 915, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks,

Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Deccio, Flanagan, Kuehnle, Matthews, Schumaker.

Not voting: Representatives Bausch, Chandler, Pardini, Randall.

Substitute House Bill No. 915, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 1051, by Representatives Martinis, Jastad and Schumaker:**

Permitting investments of certain state game funds.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1051 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1051, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite; Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hayner, McKibbin, Randall, Seeberger.

House Bill No. 1051, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 93, by Representatives Haussler, Kalich and Paris:**

Requiring uniform jail standards.

The bill was read the second time.

On motion of Mr. Haussler, Second Substitute House Bill No. 93 was substituted for House Bill No. 93, and the substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 93 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 93 was placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 93, and the bill passed the House by the following vote: Yeas, 86; nays, 10; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Flanagan, Haley, Jueling, Kuehnle, Newhouse, Schumaker, Wilson, Zimmerman.

Not voting: Representatives Knowles, Luders.



Second Substitute House Bill No. 93, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 932, by Representatives Fortson and Berentson:

Relating to food fish and shellfish.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 932 was substituted for House Bill No. 932, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 932 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 932 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 932, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Douthwaite, Hayner.

Substitute House Bill No. 932, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1026, by Representatives Sommers, Ehlers and Hendricks:

Allowing preference in public employment for spouses of honorably discharged totally disabled veterans.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, Thirty-sixth Day ex. sess., April 18, 1975.)

On motion of Ms. Sommers, the committee amendments were adopted.

House Bill No. 1026 was ordered engrossed.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1026 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1026, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 1026, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1077, by Representatives Martinis, Conner and Haussler:

Relating to the state building code.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1077 was placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1077, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnuch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

House Bill No. 1077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1037, by Representatives Bagnariol, Pardini, Erickson, Sommers and Randall:

Imposing a special tax on coin-operated gambling devices.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-first Day ex. sess., April 23, 1975.)

On motion of Mr. Randall, the first committee amendment was adopted.

On motion of Mr. Kuehnle, the following amendment by Representatives Kuehnle and Bagnariol was adopted:

On page 1, line 15 after "act" insert ": PROVIDED, That such tax shall not exceed the amount of the credit for state taxes allowed by section 4464 of the Internal Revenue Code (85 Stat. 534, 26 U.S.C. Sec. 4464), as amended and in effect on the effective date of this 1975 act"

On motion of Mr. Randall, the title amendment was adopted.

House Bill No. 1037 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1037 was placed on final passage.

Mr. Bagnariol spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1037, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnuch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Paris.

Engrossed House Bill No. 1037, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 405, by Representatives Conner, Savage, King and Charette:

Prescribing a change in computation of weekly unemployment compensation benefit amounts.

The bill was read the second time.

Mr. Freeman moved adoption of the following amendment by Representatives Freeman and May:

On page 1, section 1 line 28 add new sections as follows:

"Sec. 2. Section 22, chapter 3, Laws of 1971 as amended by section 10, chapter 73, Laws of 1973 and RCW 50.44.050 is amended to read as follows:

Benefits based on services in employment covered by or pursuant to this chapter shall be payable on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this title: PROVIDED, HOWEVER, That benefits based on service in an instructional, research or principal administrative capacity in an institution of higher education shall not be paid to an individual for any week of unemployment which begins during the period between two successive academic years, or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity for an institution or institutions of higher education for both such academic years or both such terms; or during any nonwork period occurring during a term that does not diminish the individual's salary for the term: PROVIDED, FURTHER, That benefits based on service in an instructional, research, or principal administrative capacity in an educational institution other than an institution of higher education shall not be paid to an individual for any week of unemployment which begins during the period between two successive academic years, or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity in an educational institution or institutions other than an institution of higher education for both such academic years or both such terms; or during any nonwork period occurring during a term that does not diminish the individual's salary for the term: PROVIDED, FURTHER, That any employee of a common school district who is conclusively presumed to have been reemployed pursuant to RCW 28A.67.070 shall be deemed to have a contract for the ensuing term.

NEW SECTION. Sec. 3. This 1975 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 on the first Sunday following signature by the Governor."

Representatives Freeman and May spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Freeman yielded to question by Mr. Pardini.

Mr. Pardini: "Under your theory of 180 days, what happens in the summertime?"

Mr. Freeman: "With passage of this amendment, they would be eligible if they did not have a contract, as I understand it. If they do not have a contract for the next year they wouldn't be eligible. If they did have a contract they would not be eligible during that period."

The amendment was adopted.

Mr. Matthews moved adoption of the following amendment:

After section 1 insert the following new section:

"NEW SECTION. Sec. 2. There is added to chapter 50.20 RCW a new section to read as follows:

(1) Notwithstanding any other provision of law, an individual shall be disqualified for benefits if during such individual's benefit year any other person or persons in such individual's family shall have income which is found to be adequate for such family in accordance with subsection (2) of this section.

(2) A family's income shall be deemed to be adequate if the yearly gross amount thereof exceeds:

Eight thousand dollars for a family of three or fewer;

Nine thousand dollars for a family of four;

Ten thousand dollars for a family of five;

and so forth, with an additional one thousand dollars of gross annual income permitted for each additional family member.

(3) For the purposes of this section, 'family' shall include the individual and his or her spouse, children, step-children, parents, step-parents, and any other person who is a dependent of the individual applying for benefits under this title or of whom such individual is a dependent.

(4) In making application for benefits under this title, each individual shall file an estimate of his or her family income for the forthcoming benefit year. Should the actual gross family income during such benefit year be less than such estimate and thereby entitle an individual disqualified pursuant to subsection (1) of this section to benefits, such benefits shall be paid forthwith to such individual by the department. Should the actual gross family income during such benefit year exceed such estimate and thereby disqualify an individual otherwise entitled to benefits, the department shall recover such overpayment of benefits pursuant to RCW 50.20.190."

Mr. Matthews spoke in favor of the amendment, and Representatives Charette and Cochrane spoke against it.

The amendment was not adopted.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:15 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll, and all members were present.

#### SPEAKER'S PRIVILEGE

The Speaker introduced to the House, Miss Patte Finley, daughter of Justice Robert C. Finley of Olympia, and now a star of theater and television.

Miss Finley entertained the House with selections of song, receiving a standing ovation and a request for an encore.

The Speaker also introduced Miss Finley's parents, who were in the gallery.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SECOND READING

##### HOUSE BILL NO. 405:

The House resumed consideration of the bill on second reading.

Mr. Curtis moved adoption of the following amendment:

On page 1, beginning on line 5 strike everything after the enacting clause and insert sections to read as follows:

"Section 1. Section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030 are each amended to read as follows:

"Benefit year" with respect to each individual, means the fifty-two consecutive week period beginning with the first day of the calendar week with respect to which the individual files an application for an initial determination and thereafter the fifty-two consecutive week period beginning with the first day of the calendar week with respect to which the individual next files an application for an initial determination after the expiration of his last preceding benefit year: PROVIDED, HOWEVER, That the foregoing limitation shall not be deemed to preclude the establishment of a new benefit year under the laws of another state pursuant to any agreement providing for the interstate combining of employment and wages and the interstate payment of benefits.

An individual's benefit year shall be extended to be fifty-three weeks when at the expiration of fifty-two weeks the establishment of a new benefit year would result in the use of a quarter of wages in the new base year that had been included in the individual's prior base year.

No benefit year will be established unless it is determined that the individual earned wages in "employment" during his base year of not less than the "qualifying annual wage" computed for the calendar year preceding the last June 30th immediately preceding his benefit year and either had "employment" in not less than ((~~sixteen~~)) twenty weeks of his base year in each of which he earned the "qualifying weekly wage" computed for the second calendar year preceding the calendar year in which each such week ends or had "employment" in not less than ((~~six~~)) eight hundred hours of his base year: PROVIDED, HOWEVER, That a benefit year cannot be established if the base year wages include wages earned prior to the establishment of a prior benefit year unless the individual earned wages in "employment" during the last two quarters of the new base year of not less than six times the weekly benefit amount computed for his new benefit year.

As the change contained in the third paragraph of this section relating to the weeks worked qualification would invalidate basic data upon which benefit qualification determinations must be made the satisfaction of the weeks worked requirement will require as to base year weeks ending in the second two quarters of 1972 that the individual will have earned not less than the "qualifying weekly wage" computed

for the calendar year 1971. Nothing in this paragraph or in the preceding paragraph shall be deemed to justify or support the redetermination of any monetary determination denying the establishment of a benefit year made prior to the \*effective date of this 1973 amendatory act.

If the wages of an individual are not based upon a fixed duration of time or if the individual's wages are paid at irregular intervals or in such manner as not to extend regularly over the period of employment, the wages for any week shall be determined in such manner as the commissioner may by regulation prescribe. Such regulation shall, so far as possible, secure results reasonably similar to those which would prevail if the individual were paid his wages at regular intervals.

Sec. 2. Section 73, chapter 35, Laws of 1945 as last amended by section 21, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.050 are each amended to read as follows:

An individual shall be disqualified from benefits beginning with the first day of the calendar week in which ~~((he))~~ such individual has left work voluntarily without good cause connected with the work or attributable to the employer or employing unit. Such disqualification shall continue from said day and thereafter until ~~((he))~~ such individual has obtained work and earned wages of not less than ~~((his))~~ the individual's suspended weekly benefit amount in each of five calendar weeks ~~((PROVIDED, That disqualification under this section shall not extend beyond the tenth calendar week following the week in which such individual left work))~~.

Leaving work shall not be considered voluntary without good cause connected with the work or attributable to the employer or employing unit when it is caused by the illness or disability of the claimant or a member of the claimant's immediate family and the claimant took all reasonable precautions in accordance with such regulations as the commissioner may prescribe to protect such individual's employment status by having promptly notified such individual's employer as to the reason for such individual's absence and by promptly requesting reemployment when such individual is again able to assume employment.

Sec. 3. Section 74, chapter 35, Laws of 1945 as last amended by section 22, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.060 are each amended to read as follows:

An individual shall be disqualified from benefits beginning with the first day of the calendar week in which he or she has been discharged or suspended for misconduct connected with his or her work and thereafter until he or she has obtained work and earned wages of not less than his or her suspended weekly benefit amount in each of five calendar weeks ~~((PROVIDED, That disqualification under this section shall not extend beyond the tenth calendar week following the week in which such individual was discharged or suspended))~~.

Sec. 4. Section 77, chapter 35, Laws of 1945 as amended by section 12, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.090 are each amended to read as follows:

An individual shall be disqualified for benefits for any week with respect to which the commissioner finds that his unemployment is due to ~~((a stoppage of work which exists because of))~~ a labor dispute in active progress at the factory, establishment, or other premises at which he is or was last employed: ~~PROVIDED, That this section shall not apply if it is shown to the satisfaction of the commissioner that~~

(1) he is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

(2) he does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute: ~~PROVIDED, That if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purpose of this subdivision, be deemed to be a separate factory, establishment, or other premises.~~

Sec. 5. Section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.120 are each amended to read as follows:

(1) Subject to the other provisions of this title benefits shall be payable to any eligible individual during his benefit year in a maximum amount equal to the lesser of thirty times the weekly benefit amount (determined hereinafter) or one-third of the individual's base year wages under this title.

(2) An individual's weekly benefit amount shall be an amount equal to one ~~((twenty-fifth))~~ fiftieth of his total wages during ~~((that quarter))~~ the two quarters of his base year in which such total wages were highest, except that if such computed amount is less than seventeen dollars, the weekly benefit amount shall be deemed to be seventeen dollars. The maximum amount payable weekly shall be determined as of each June 30th to apply to benefit years beginning in the twelve-month period immediately following such June 30th. The maximum amount payable weekly shall be ~~((fifty))~~ fifty-five percent of the "average weekly wage" for the calendar year preceding such June 30th: ~~PROVIDED, That if any weekly benefit or maximum benefit amount computed herein is not a multiple of one dollar, it shall be adjusted to the nearest multiple of one dollar, except that if the computed amount ends in fifty cents, it shall be adjusted to the next higher multiple of one dollar."~~

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Curtis: "I would like to divide the question. Would a motion at this point in time be in order that we consider it section by section?"

The Speaker (Mr. O'Brien presiding): "You would have to place it in the form of a motion to divide your main question."

## MOTION

Mr. Curtis moved that the amendment be divided and each section be considered separately.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Charette: "Under our rules is it possible for a person to present an amendment that is to be considered all together and then request that it be divided?"

The Speaker (Mr. O'Brien presiding): "House Rule 61 covers the division of a question and states as follows: 'Any member may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; . . .' It would appear that the House would have the right to divide the question on a motion. Also Reed's Rule 151 explains in some detail decisions relative to the division of a question. If the House so desires to divide the question, they would have that right."

Mr. Charette: "Further on the point of inquiry, Representative Curtis has presented an amendment that strikes everything after the enacting clause and then hangs some paper on this bill and I would suggest that if one of the sections were adopted, then the amendment wouldn't be properly worded. How would we work that out?"

The Speaker (Mr. O'Brien presiding): "You raise a pretty good point. I suppose if we adopted one of these sections that you would adopt everything after the enacting clause with the exception of the sections that the House decided not to approve."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Curtis to divide the question, and consider each section of his amendment separately.

Mr. Curtis spoke in favor of the motion, and Mr. Charette spoke against it.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Curtis to divide the question, and the motion was lost by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Randall, Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Hanna, Schumaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Curtis.

Mr. Curtis spoke in favor of the amendment, and Mr. King spoke against it.

## POINT OF ORDER

Mr. Newhouse: "I would like to cite Rule 52—the three-minute rule."

The Speaker (Mr. O'Brien presiding): "Your point is probably well-taken, but Representative Curtis took more than three minutes."

Mr. King concluded his remarks in opposition to the amendment.

On motion of Mr. Freeman, the following amendment by Representatives Freeman and May to the Curtis amendment was adopted:

On page 1, line 1 after "strike" strike the material down to the colon on line 3 and insert "Section 1." and renumber the amended section accordingly.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the Curtis amendment as amended.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Representatives Newhouse, Bond and Matthews spoke in favor of the amendment as amended, and Representatives Savage and Charette spoke against it.

Mr. Conner demanded the previous question, and the demand was sustained.

Mr. Curtis asked to close debate.

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Rule 56 states in part, 'The previous question upon all recognized motions or amendments which are debatable may be ordered by two-thirds of the members present, and shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered. . . .'"

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Curtis as amended to House Bill No. 405, and the amendment was not adopted by the following vote: Yeas, 35; nays, 55; not voting, 8.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Hale, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Seeberger, Smith R., Tilly, Whiteside, Wilson.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Perry, Randall, Savage, Sherman, Shipoch, Smith E. P., Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman.

Not voting: Representatives Adams, Blair, Hansen, Martinis, Paris, Parker, Sommers, and Mr. Speaker.

#### MOTION FOR RECONSIDERATION

Mr. Curtis, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment was not adopted.

Representatives Curtis and Freeman spoke in favor of the motion, and Representatives Savage and King spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Curtis to reconsider the vote by which the amendment by Mr. Curtis to House Bill No. 405 was not adopted, and the motion was lost by the following vote: Yeas, 36; nays, 60; not voting, 2.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hale, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Randall, Schumaker, Seeberger, Smith R., Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Savage, Sherman, Shipoch, Smith E. P., Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Sommers.

On motion of Mr. Freeman, the following amendment to the title was adopted:

On page 1, line 1 after the semicolon strike "and" and on line 3 after "50.20.120" insert "; amending section 22, chapter 3, Laws of 1971, as amended by section 10, chapter 73, Laws of 1973, and RCW 50.44-.050; establishing an effective date and declaring an emergency"

House Bill No. 405 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 405 be placed on final passage.

Mr. Savage spoke in favor of the motion, and Mr. Newhouse spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed House Bill No. 405 on final passage, and the motion failed to receive the necessary two-thirds majority by the following vote: Yeas, 58; nays, 39; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Savage, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Smith R., Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative Seeberger.

Engrossed House Bill No. 405 was passed to Committee on Rules for third reading.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 170,  
HOUSE BILL NO. 175,  
SUBSTITUTE HOUSE BILL NO. 183,  
HOUSE BILL NO. 385,  
HOUSE BILL NO. 627.

#### MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

May 14, 1975

HOUSE BILL NO. 890, Prime Sponsor: Representative Bauer, relating to education. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Randall, Chairman - Revenue; Bausch, Blair, Charette, Ehlers, Erickson, Gaspard, Hurley (George), Kilbury, Luders, McKibbin, Moreau, North, Smith (Edward), Smith (Rick), Sommers, Thompson, Valle, Warnke, Williams.

#### MOTION

On motion of Mr. Charette, the rules were suspended, and House Bill No. 890 was advanced to second reading and ordered placed on the second reading calendar for tomorrow.

May 14, 1975

ENGROSSED SENATE BILL NO. 2256, Prime Sponsor: Senator Francis, revising laws relating to remuneration of judges. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following line 16 insert a new section as follows:

"Sec. 2. Section 2, chapter 114, Laws of 1973 and RCW 2.06.160 are each amended to read as follows:

(1) A judge of a court of record serving as a judge pro tempore of the court of appeals, as provided in RCW 2.06.150, shall receive, in addition to his ~~((actual travel expense or ten cents per mile, whichever is less;))~~ regular salary, transportation expenses in accordance with RCW 43.03.060 as now existing or hereafter amended for not to exceed one round trip from his residence during his term of service as judge pro tempore and ~~((in addition his regular salary, his actual living expenses not to exceed))~~ forty dollars per day ~~((during his term of service as judge pro tempore))~~ for subsistence and lodging.

(2) A retired judge of a court of record in this state serving as a judge pro tempore of the court of appeals, as provided in RCW 2.06.150, shall receive, in addition to any retirement pay he may be receiving, the following compensation and expenses:

(a) ~~((His actual travel expenses or ten cents per mile, whichever is less, from his residence and in addition his living))~~ Transportation expenses for not to exceed one round trip in accordance with RCW 43.03.060 as now existing or hereafter amended from his residence during his term of service as judge pro tempore and forty dollars per day ~~((during his term of service as judge pro tempore))~~ for subsistence and lodging; and

(b) During the period of his service as judge pro tempore, he shall receive as compensation sixty percent of one-two hundred and fiftieth of the annual salary of a court of appeals judge for each day of service: PROVIDED, HOWEVER, That the total amount of combined compensation received as salary and retirement by any judge in any calendar year shall not exceed the yearly salary of a full-time judge.



(3) Whenever a judge of a court of record is appointed to serve as judge pro tempore of the court of appeals and a visiting judge is assigned to replace him, ~~((the actual travel expenses or ten cents per mile, whichever is less, from place of residence and in addition the living expenses not to exceed))~~ the visiting judge shall receive transportation expenses in accordance with RCW 43.03.060 as now existing or hereafter amended and forty dollars per day for subsistence and lodging expenses incurred ~~((by such visiting judge))~~ as a result of such assignment which shall be paid upon application of such judge from the appropriation of the court of appeals.

(4) The provisions of RCW 2.06.150 and 2.06.160 shall not be construed as impairing or enlarging any right or privilege acquired in any retirement or pension system by any judge or his dependents."

Renumber the remaining section consecutively.

On page 3, line 13 after "case" strike the period and insert ": PROVIDED, HOWEVER, That the total amount of combined compensation received as salary and retirement by any judge in any calendar year shall not exceed the yearly salary of a full-time judge."

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Newhouse, Sherman.

To Committee on Rules for second reading.

May 14, 1975

ENGROSSED SENATE BILL NO. 2403, Prime Sponsor: Senator Jones, providing arrest procedures for specified traffic offenses. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 13 strike all of section 1.

Renumber the remaining sections consecutively.

On page 1, line 1 of the title after "motor vehicles;" strike all material through and including "10.31.100;"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Sherman.

To Committee on Rules for second reading.

May 13, 1975

ENGROSSED SENATE BILL NO. 2663, Prime Sponsor: Senator North, permitting conditional licensing of alien physicians for work in county or city health departments. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 7 strike all language through the end of the bill on line 17, page 2 and insert the following:

~~"(Notwithstanding any provisions of law to the contrary, the director of the department of motor vehicles shall) The board may, without examination, issue a limited license to persons who possess the qualifications set forth herein:~~

~~(1) The board may, upon the written request of the secretary of the department of social and health services, issue a ((conditional certificate or)) limited license to practice medicine ((and surgery)) in this state to ((such person or)) persons ((as requested by the secretary of the department of social and health services;)) who have been accepted for employment by the department as physicians ((or psychiatrists)); who are licensed to practice medicine ((and surgery)) in another state of the United States or in the country of Canada or any province or territory thereof; and who ((are graduates of a medical school accredited and approved in accordance with the provisions of RCW 18.71.055, as now or hereafter amended, any such license or conditional certificate to practice medicine and surgery in this state shall be issued by the director of the department of motor vehicles, and in addition to the above requirements shall be subject to the following limitations, which shall be set forth therein:)) meet all of the qualifications for licensure set forth in RCW 18.71.050.~~

~~((The license shall only)) Such license shall permit the holder thereof to practice ((the profession of)) medicine ((and surgery)) only in ((conjunction)) connection with patients, residents, or inmates of the state institutions under the control and supervision of the secretary of the department of social and health services, and only under the direct supervision of the chief medical officer of the institution in which the licensee is employed.~~

~~(2) The board may issue a limited license to practice medicine in this state to persons who have been accepted for employment by a county or city health department as physicians; who are licensed to practice medicine in another state of the United States or in the country of Canada or any province or territory thereof; and who meet all of the qualifications for licensure set forth in RCW 18.71.050.~~

~~Such license shall permit the holder thereof to practice medicine only in connection with his or her duties in employment with the city or county health department.~~

(3) Upon receipt of a completed application showing that the applicant meets all of the requirements for licensure set forth in RCW 18.71.050 except for completion of one year of postgraduate medical training, and that the applicant has been appointed as a resident physician in a program of postgraduate clinical training in this state approved by the board, the board may issue a limited license to a resident physician. Such license shall permit the resident physician to practice medicine only in connection with his duties as a resident physician and shall not authorize him to engage in any other form of practice. Each resident physician shall practice medicine only under the supervision and control of a physician licensed in this state, but such supervision and control shall not be construed to necessarily require the personal presence of the supervising physician at the place where services are rendered.

((2) The licensee)) All persons licensed under this section shall be subject to the jurisdiction of the medical disciplinary board to the same extent as other members of the medical profession, in accordance with chapter 18.72 RCW and in addition, the ((conditional)) limited license ((or certificate)) to practice medicine ((and surgery)) in the state of Washington may be revoked by the medical disciplinary board after a hearing has been held in accordance with the provisions set forth in chapter 18.72 RCW, and determination made by the medical disciplinary board that such licensee has violated the limitations set forth ((in subsection (1) hereof)) herein.

((3) Such license shall remain in full force and effect only so long as the licensee remains an employee of the department of social and health services, and his duties as such employee require him to practice the profession of medicine and surgery, unless such conditional license or certificate is revoked or suspended by the medical disciplinary board, in accordance with the provisions of chapter 18.72 RCW.))

Persons applying for licensure pursuant to this section shall pay an application fee of twenty-five dollars and, in the event the license applied for is issued, a license fee at the rate provided for renewals of licenses generally. Licenses issued hereunder may be renewed annually pursuant to the provisions of RCW 18.71.080: PROVIDED, That a limited license for a resident physician may not be renewed until such resident physician has successfully completed either all parts of the examination given by the national board of medical examiners or an equivalent examination approved by the board. Interim approval may be granted until the result of such examination becomes available. Any person who obtains a limited license pursuant to this section may, without an additional application fee, apply for licensure under this chapter."

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Bauer, Becker, Cochrane, Decio, Eng, Fischer, Fortson, Greengo, Haley, Hanna, Hendricks, May, Paris, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, May 16, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

SIXTY-FOURTH DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Friday, May 16, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Bond, Kuehnle, Lysen and Thompson. Representatives Amen, Bond, Kuehnle and Thompson were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Samantha Starr and Philipa Lohmeyer. Prayer was offered by Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE GOVERNOR

May 15, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 15, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 130: Changing procedure for certifying small claims judgments.

HOUSE BILL NO. 158: Authorizing second and third class school districts to provide housing for superintendents thereof and validating prior commitments therefor.

HOUSE BILL NO. 366: Changing fuel tax requirements for interstate commercial vehicles.

HOUSE BILL NO. 431: Permitting administration of medication to aged persons in boarding homes under certain circumstances.

HOUSE BILL NO. 573: Creating grass burning research advisory committee and setting forth its powers and duties.

HOUSE BILL NO. 665: Permitting public auction of state material valued at \$10,000 or less.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

MESSAGES FROM THE SENATE

May 15, 1975

Mr. Speaker:

The Senate has adopted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 172, and the President has appointed as members of said conference committee: Senators Rasmussen, Wanamaker and Woody.

Sidney R. Snyder, Secretary.

May 15, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 112,  
HOUSE BILL NO. 141,  
SUBSTITUTE HOUSE BILL NO. 389,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker assumed the Chair.

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 32, by Representative Newhouse:

Prescribing cut-off dates for the consideration of legislative measures.

## MOTION

Mr. Newhouse moved that the rules be suspended and House Concurrent Resolution No. 32 be advanced to second reading and read the second time in full.

Mr. Newhouse spoke in favor of the motion, and Mr. Charette spoke against it.

Mr. Curtis rose to speak.

## POINT OF ORDER

Mr. Charette: "I believe that the rules provide that on a suspension of the rules there is one speech on each side."

The Speaker: "Your point is well taken."

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance House Concurrent Resolution No. 32 to second reading, and the motion was lost by the following vote: Yeas, 33; nays, 57; not voting, 8.

Voting yea: Representatives Barnes, Berentson, Blair, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Leckenby, Lee, Matthews, Moreau, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Becker, Bond, Brown, Eng, Kuehne, Lysen, Thompson.

House Concurrent Resolution No. 32 was passed to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

May 15, 1975

HOUSE BILL NO. 860, Prime Sponsor: Representative Perry, relating to transportation studies, Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Transportation and Utilities.

May 15, 1975

SUBSTITUTE SENATE BILL NO. 2211, Original Prime Sponsor: Senator Beck, authorizing certain types of motor vehicle lighting. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Bender, Ceccarelli, Charnley, Clemente, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Kalich, Laughlin, McCormick, Patterson, Schumaker, Seeberger, Wilson.

To Committee on Rules for second reading.

May 15, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2463, Original Prime Sponsor: Senator Sandison, relating to vocational education. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. The purpose of this amendatory act is to provide for a comprehensive planning process and a decision making system for vocational education programs in the state of Washington and to establish administrative responsibility for the receipt and allocation of federal vocational funds.

It is the intent of this amendatory act that whenever possible, comprehensive and coordinated educational programs shall be provided at the secondary and postsecondary education levels and such programs shall include therein vocational, occupational, and technical offerings, both within the secondary and postsecondary education systems.

NEW SECTION. Sec. 2. As used in this amendatory act the following definitions shall apply:

(1) "Commission" shall mean the commission for vocational education.

(2) "Secondary education system" shall mean those educational courses and programs, within the jurisdiction of the superintendent of public instruction, being offered in the common schools of the state of Washington in the grades 7 through 12, or any part thereof, which are traditionally provided for the purpose of granting a recognized certificate of completion or a high school diploma: PROVIDED, That notwithstanding the provisions of this chapter and RCW 28B.50.140(1), existing vocational-technical institutes operating within the secondary school system shall continue to function within the common school system.

(3) "Postsecondary education system" shall mean those educational courses and programs, not within the jurisdiction of the superintendent of public instruction, being offered beyond secondary education by institutions of higher education in the state of Washington to those who hold a certificate of completion or high school diploma which includes academic, vocational, technical or professional training traditionally leading to an associate, baccalaureate or higher degree or a certificate of achievement.

(4) "Vocational education" shall mean a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations, homemaking, home and family life programs, and volunteer fire fighting training, which are not designated as professional or requiring a baccalaureate or higher degree.

(5) "State plan" shall mean the Washington state plan for vocational education, adopted as required by Public Law 88-210 as amended, and other federal congressional and administrative directives pertaining to vocational education, and shall be the single comprehensive plan which provides approval standards for vocational education operated in or by community colleges, common schools, area nongraded vocational-technical institutes, occupational skill centers, state institutions, private proprietary and parochial schools, on-the-job training facilities or any other training location where local, state or federal vocational funds are allocated: PROVIDED, That standards of, rules and regulations for, and supervision of indentured apprenticeship in the apprenticeable crafts shall continue to be governed by the director of labor and industries and the state apprenticeship council in accordance with chapter 49.04 RCW.

(6) "Vocational-technical institute" shall mean a specialized area nongraded vocational education facility established and operated for the purpose of offering comprehensive courses primarily oriented to the job market area in vocational education for persons sixteen years of age and older without regard to residence, pursuant to laws and rules and regulations pertaining to the maintenance, operation, and capital funding of vocational-technical institutes: PROVIDED, That service areas for common school vocational-technical institutes shall be defined specifically by the commission, recognizing areas traditionally served.

(7) "Advisory council" means the advisory council for vocational education established within this state pursuant to 20 USCA 1244B.

**NEW SECTION. Sec. 3.** There is hereby established a commission for vocational education comprised of seven members, each of which shall be a voting member. The chairman shall be a citizen member chosen by a majority of its members pursuant to its bylaws. Five citizen members shall be appointed by the governor and confirmed by the state senate. The superintendent of public instruction and the director of the state board for community college education shall serve as the remaining two members. In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons well versed regarding vocational and occupational needs of management, labor, and agriculture.

The initial citizen appointments shall be for periods of one, two, three, four, and five years. Thereafter such citizen members shall serve for terms of five years. No citizen member shall be eligible to serve who is also a member of a state or local educational agency, board, council or commission, or who is employed by a common school or institution of higher education.

Four members shall constitute a quorum, and no action shall be taken by less than four affirmative votes.

**NEW SECTION. Sec. 4.** The commission for vocational education shall have the following functions:

(1) **Plan development.** The commission shall be responsible for complying with federal directives to insure the development and maintenance of a state plan for vocational education but initial planning shall be accomplished by the secondary and postsecondary education systems. Prior to the adoption of the state plan, the commission shall request comments from the council on higher education and the advisory council for vocational education.

(2) **State plan modification adjudication.** Decisions on new programs and/or facilities for vocational education shall be made internally within the respective secondary or postsecondary education system in accordance with the provisions of the state plan. The commission may review such decisions to insure compliance with the state plan and avoid unnecessary duplication of current or projected programs.

Any common school or community college district, or the superintendent of public instruction, or the state board for community college education, or other interested parties as authorized by the commission, shall be afforded the opportunity to comment upon any new programs or facilities proposed. The commission, subject to dispute resolution rules adopted by said commission, shall have the final determination on any disputes arising out of such program proposals.

In adjudicating disputes between the two secondary and postsecondary education systems regarding the state plan, the commission will use at least the following criteria: Recognition that secondary education is constitutionally the responsibility of the superintendent of public instruction and that by legislative action postsecondary education is the responsibility of institutions of higher education; adhere to the general policy set forth in the state plan; consider the particular vocational need of the community, region, or state and whether the common school or community college, or both, can best respond to those needs;

encourage cooperation and coordination rather than competition and program conflict between secondary and post secondary education systems; consider the desires and preferences of the residents of the immediate program service area and of the representatives of the fields of management, labor, and agriculture which benefit from possible program offerings; and avoid unnecessary duplication of vocational education programs and facilities.

(3) Vocational education administration. The commission shall be the sole agency for the receipt and allocation of federal funds in accordance with the state plan. The supervision of the state plan shall be carried out by the commission; however, daily administration of the state plan shall be primarily the responsibility of the superintendent of public instruction and the state board for community college education: PROVIDED, That the commission shall review and approve state plan development proposals or special programs requiring personal service contracts, and activities beyond the program responsibilities of the superintendent of public instruction and the state board for community college education.

Under the state plan the commission shall make periodic compliance audits at least once a biennium of the vocational education programs individually and jointly conducted by the common schools and community colleges to insure compliance with the state plan.

The commission shall be the primary state liaison with the federal government for the state plan for vocational education.

**NEW SECTION.** Sec. 5. In addition to powers and duties under section 4 of this amendatory act, the commission shall make periodic reports to the governor and the legislature. The initial report shall be submitted, with the governor's comments, to the 1977 legislature by December 1, 1976 and shall include, but not be limited to, review of and recommendations on the following: (1) Vocational education program modification, including common informational data systems; (2) reorganization of the administration of vocational education; (3) an appropriate level of expenditure for the state administration of vocational education programs; (4) appropriate charges for vocational and adult education programs in the secondary and postsecondary education systems; and (5) provisions for personnel standards for vocational education instructors.

Such recommendations, to the greatest extent possible, shall comply with the intent of this amendatory act and be consistent with federal requirements.

**NEW SECTION.** Sec. 6. The commission is authorized to promulgate such rules and regulations as are necessary to comply with the intent of this amendatory act in accordance with chapter 34.04 RCW, the administrative procedure act, and adopt such bylaws as deemed necessary to the business of the commission. Existing rules and regulations of any state agency relating to vocational education should be considered amended in accordance with the intent of this amendatory act. Initial rules and regulations of the commission, prior to their effective date, shall be submitted to the respective rules committees of the senate and house for review concurrently at such time as notice of intent to adopt is filed. The commission is further authorized to take whatever action is necessary to insure compliance with federal vocational education enactments and state legislative and administrative directives concerning vocational education. The commission is also authorized to delegate by commission resolution to the executive director those functions it deems necessary to the operation of the commission.

The commission shall meet, consult and cooperate with the office of the state superintendent of public instruction on all matters falling within his constitutional supervisory powers in advance of exercising any of the powers or duties granted to the commission by this chapter.

**NEW SECTION.** Sec. 7. Common school districts and community college districts shall cooperate in offering vocational education programs, particularly when establishing specialized facility support for such programs. Such cooperation shall also extend to noncredit vocational courses in common school community education programs and community college community service programs as the same are authorized in RCW 28A.58.247 and 28B.50.020.

Except as provided for by the rules and regulations of the commission, (1) common school vocational-technical institutes shall not offer new or expanded vocational programs outside their traditional service areas; (2) community colleges shall not offer new or expanded vocational programs outside their college districts. Common school vocational-technical institutes and community colleges desiring to offer new or expanded programs outside their respective service areas or community college districts shall provide reasonable notice, as determined by the commission, to the common school and community college districts affected thereby.

If such joint cooperation cannot be attained at the local level the superintendent of public instruction and the state board for community college education shall attempt to resolve the matter. Matters unresolved shall be referred to the commission for adjudication.

**NEW SECTION.** Sec. 8. Members of the commission will receive per diem in lieu of compensation, and travel expenses in accordance with standard rates for part time boards, councils, and commissions as certified by the state budget director.

**NEW SECTION.** Sec. 9. The coordinating council for occupational education is hereby abolished effective midnight June 30, 1975, and its education responsibilities, personnel, property and equipment are transferred to the commission for vocational education unless otherwise provided for in this amendatory act.

**NEW SECTION.** Sec. 10. The commission may employ an executive director and such other personnel as may be necessary to carry out the purposes of this amendatory act. The commission in accordance with section 4 of this amendatory act shall keep its professional staff to the minimum number of persons

necessary to fulfill its duties under this amendatory act and the performance of such other administrative responsibilities as the legislature may provide.

**NEW SECTION.** Sec. 11. The superintendent of public instruction may authorize common schools to contract with community colleges to provide adult high school completion programs if he determines that such programs effectively fulfill the purposes of secondary education: PROVIDED, That except as subject to the action of the superintendent of public instruction, adult high school completion programs conducted by the community colleges as authorized by RCW 28B.50.092 or 28B.50.535 shall remain in the community colleges.

**NEW SECTION.** Sec. 12. The governor is hereby authorized, with the advice of the office of program planning and fiscal management to determine to which of the following state agencies those functions of the coordinating council for occupational education not herein transferred to the commission for vocational education shall be transferred: The council on higher education; the department of social and health services; the department of labor and industries; the superintendent of public instruction; the state board for community colleges, or any educational administrative agency created during the forty-fourth legislative session. The governor has the authority to transfer such personnel, funds, and equipment to the agency he so determines as may be necessary to carry out those functions. The governor shall make a report to the legislature concerning such determinations as he has made by December 1, 1975. All remaining funds of the coordinating council not disposed of or otherwise provided for in this amendatory act shall remain within the jurisdiction of the commission.

Sec. 13. Section 4, chapter 285, Laws of 1971 ex. sess. and RCW 28A.09.120 are each amended to read as follows:

For the purposes of (~~Title 28A RCW~~) this title:

(1) (~~The term "vocational education" shall mean a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in or upgrade themselves in gainful employment in recognized occupations and homemaking, which are not designated as professional or requiring a baccalaureate or higher degree.~~)

(~~2~~) The term "occupational exploration" shall include prevocational education. The term "occupational exploration" shall mean a series of educational experiences designed to (a) assist individuals in developing their understanding of, appreciation for, aptitudes for, and abilities in recognized occupations; (b) develop an attitude of respect toward work and pride in workmanship; and (c) provide knowledge and experience to assist in the choice of an occupational program.

(~~3~~) (2) The terms "industrial arts" and "practical arts" shall mean general education centered around the industrial and technical aspects of current living, offering orientation in and appreciation for production, consumption, and recreation through actual experiences with materials and goods and also providing exploratory experiences which are helpful in the choice of a vocation.

(~~4~~) (3) The term "job market area" shall mean the geographic area for recruitment and placement of job entrants, usually determined by each industry or by a collective bargaining agreement.

Sec. 14. Section 28B.50.230, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.230 are each amended to read as follows:

(1) The (~~coordinating council~~) commission in preparing the state plan for vocational education shall give consideration to the following:

(a) Vocational education for persons attending high school;

(b) Vocational education for persons who have completed or left high school and who are available for full time study in preparation for entering the labor market;

(c) Vocational education for persons (other than persons who are receiving training allowances under the Vocational Development and Training Act of 1962, Public Law 87-415, the Area Redevelopment Act, Public Law 87-27, or the Trade Expansion Act of 1962, Public Law 87-794 or any successor statutes thereto) who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment;

(d) Vocational education for persons who have academic, socio-economic, or other handicaps that prevent them from succeeding in the regular vocational education program;

(e) Construction of area vocational educational school facilities, as authorized by the state board for community colleges and the state board of education; and

(f) Ancillary services and activities to assure quality in all vocational education programs, such as teacher training and supervision, program evaluation, special demonstrations and experimental programs, development of instructional materials, and state administration and leadership, including periodic evaluation of state and local vocational education programs and services in the light of information regarding current and projected manpower needs and job opportunities.

(2) In determining the allocation of funds, the (~~council~~) commission shall comply with federal statute.

Sec. 15. Section 28B.50.240, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 285, Laws of 1971 ex. sess. and RCW 28A.09.100 are each amended to read as follows:

The state board of education shall have the power to authorize the school districts to offer vocational education programs in the elementary and secondary schools and the state board shall adopt rules, and regulations to implement such programs and shall also adopt such rules and regulations for programs authorized by RCW 28A.58.245 and (~~28B.50.770~~) for vocational-technical institutes as provided for by this amendatory act.

Sec. 16. Section 53, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.246 are each amended to read as follows:

The advisory council shall:

(1) Advise the ~~((coordinating council))~~ commission on vocational education on the development of and policy matters arising in the administration of the state plan for federally funded vocational education pursuant to RCW 28B.50.230, including the preparation of long range and annual program plans therefor;

(2) Evaluate such vocational education programs, services, and activities assisted under this title, and publish and distribute the results thereof;

(3) Prepare and submit through the ~~((coordinating council))~~ commission on vocational education to the federal commissioner of education and to the national advisory council on vocational education an annual evaluation report, accompanied by such additional comments of the ~~((coordinating council))~~ commission as the ~~((coordinating council))~~ commission deems appropriate, which (a) evaluates the effectiveness of federally funded vocational education programs, services, and activities carried out in the year under review in meeting the program objectives set forth in the long range program plan and the annual program plan, and (b) recommends such changes in such programs, services, and activities as may be warranted by the evaluations; and

(4) Obtain the services of an executive director and confidential secretary to such director, both of whom shall be exempt from the provisions of chapter 41.06 RCW, and such professional, technical, and clerical personnel as may be deemed necessary to enable it to carry out its functions under this section and to contract for such services as may be necessary to enable them to carry out their evaluation functions.

NEW SECTION. Sec. 17. Sections 1 through 11 of this amendatory act and RCW 28A.09.070, 28A.09.080, 28A.09.090, 28A.09.100, 28A.09.110, 28A.09.120 as now or hereafter amended, 28A.09.200, 28B.50.221, 28B.50.230 as now or hereafter amended, 28B.50.245 and 28B.50.246 as now or hereafter amended, each of which RCW sections are hereby decodified, are added to the Revised Code of Washington as a new title thereof, Title 28C, Vocational Education.

NEW SECTION. Sec. 18. The following acts or parts of acts are each hereby repealed:

(1) Section 28B.50.160, chapter 223, Laws of 1969 ex. sess., section 54, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.160;

(2) Section 28B.50.170, chapter 223, Laws of 1969 ex. sess., section 28, chapter 283, Laws of 1969 ex. sess., section 20, chapter 62, Laws of 1973 and RCW 28B.50.170;

(3) Section 28B.50.180, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.180;

(4) Section 28B.50.200, chapter 223, Laws of 1969 ex. sess., section 21, chapter 62, Laws of 1973 and RCW 28B.50.200;

(5) Section 28B.50.220, chapter 223, Laws of 1969 ex. sess., section 55, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.220; and

(6) Section 28B.50.770, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.770.

NEW SECTION. Sec. 19. This 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 July 1, 1975.

NEW SECTION. Sec. 20. If any provision of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

In line 3 of the title after "equipment;" strike the remainder of the title and insert "amending section 4, chapter 285, Laws of 1971 ex. sess. and RCW 28A.09.120; amending section 28B.50.230, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.230; amending section 28B.50.240, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 285, Laws of 1971 ex. sess. and RCW 28A.09.100; amending section 53, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.246; repealing section 28B.50.160, chapter 223, Laws of 1969 ex. sess., section 54, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.160; repealing section 28B.50.170, chapter 223, Laws of 1969 ex. sess., section 28, chapter 283, Laws of 1969 ex. sess., section 20, chapter 62, Laws of 1973 and RCW 28B.50.170; repealing section 28B.50.180, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.180; repealing section 28B.50.200, chapter 223, Laws of 1969 ex. sess., section 21, chapter 62, Laws of 1973 and RCW 28B.50.200; repealing section 28B.50.220, chapter 223, Laws of 1969 ex. sess., section 55, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.220; repealing section 28B.50.770, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.770; adding new sections as a new title in the Revised Code of Washington, Title 28C, Vocational Education, together with certain RCW sections herein decodified and added thereto; and declaring an emergency and making an effective date."

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Fortson, Gaspard, Hayner, Hendricks, Valle, Whiteside.

To Committee on Rules for second reading.

May 15, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2737, Original Prime Sponsor: Senator Walgren, authorizing an alternative method for the ownership, operation and financing of public systems of sewage and water. Reported by Committee on Local Government.



**MAJORITY recommendation:** Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Adams, Berentson, Cochrane, Paris, Smith (Edward), Zimmerman.

To Committee on Rules for second reading.

May 15, 1975

**ENGROSSED SENATE BILL NO. 2862,** Prime Sponsor: Senator Sellar, deleting local government employees from law setting holidays for state employees. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Haussler, Chairman; Hanna, Vice Chairman; Kalich, Subcommittee Chairman; Laughlin, Subcommittee Chairman; Amen, Berentson, Cochrane, Fischer, Paris, Smith (Edward), Zimmerman.

To Committee on Rules for second reading.

### SECOND READING

**HOUSE BILL NO. 436,** by Representatives Bausch, Parker and Curtis (by Department of Employment Security request):

Prescribing changes in unemployment compensation laws.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, Nineteenth Day ex. sess., April 1, 1975.)

On motion of Mr. Savage, the committee amendments were adopted.

House Bill No. 436 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 436 was placed on final passage.

Representatives Savage and Matthews spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 436, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeburger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Curtis.

Not voting: Representatives Amen, Deccio, Kuehnle, Lysen, Patterson, Thompson.

Engrossed House Bill No. 436, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 460,** by Representatives Hurley (Margaret), Gaines, Knowles, Luders, May, McCormick, Kuehnle, Pardini, Schumaker, Haussler and Bond:

Amending laws relating to snowmobiles.

The bill was read the second time.

### MOTION

Mr. Charette moved that the Rules Committee be relieved of Engrossed Senate Bill No. 2386, and the bill be placed on tomorrow's second reading calendar.

Mr. Charette spoke in favor of the motion.

## MOTION

Mr. Polk moved that Mr. Charette's motion be amended to include House Concurrent Resolution No. 32.

Representatives Polk, Curtis and Hayner spoke in favor of the motion, and Mr. Charette spoke against it.

## ROLL CALL

The Clerk called the roll on the amendment to the motion relieving the Rules Committee of House Concurrent Resolution No. 32 and placing it on the second reading calendar for tomorrow, and the amendment to the motion was lost by the following vote: Yeas, 31; nays, 61; not voting, 6.

Voting yea: Representatives Barnes, Blair, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Berentson, Bond, Brown, Kuehne, Lysen.

The motion by Mr. Charette was carried.

## MOTION

On motion of Mr. Charette, House Bill No. 460 was rereferred to the Committee on Rules.

HOUSE BILL NO. 867, by Representatives Bagnariol and Shinpoch:

Relating to appropriations.

The bill was read the second time.

On motion of Mr. Bagnariol, Substitute House Bill No. 867 was substituted for House Bill No. 867, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 867 was read the second time.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

On motion of Mr. Newhouse, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 867 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Pardini.

Mr. Pardini: "Essential to the implementation of this irrigation project is the question of flexibility of grants or loans. Throughout this bill, on all of these bonds, do we have the flexibility to go either grant or loan?"

Mr. Kilbury: "I think the correct answer is that the Bacon Siphon section is grant or loan. I think for the three irrigation districts mentioned we are honoring a commitment for grant on those and the other projects would be funded on a thirty-five percent basis."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 867, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage,

Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Nelson.

Not voting: Representatives Amen, Bond, Kuehnle, Newhouse, Thompson, Whiteside, Wilson.

Substitute House Bill No. 867, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

I was called off the floor when Substitute House Bill No. 867 was voted on. I wish to have my Aye vote registered on this bill.

ALEX DECCIO, 15th District.

HOUSE BILL NO. 890, by Representative Bauer:

Relating to education.

The bill was read the second time.

On motion of Mr. Shinpoch, Substitute House Bill No. 890 was substituted for House Bill No. 890, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 890 was read the second time.

Mr. Hansey moved adoption of the following amendment by Representatives Hansey and Matthews:

On page 1, beginning on line 20 strike all of section 2 and insert the following:

"NEW SECTION. Sec. 2. In addition to any other state aid distributed to school districts as otherwise in chapters 28A.41 and 28A.48 RCW provided, the superintendent of public instruction shall distribute to every public school district within the state for the 1975-1976 school year pursuant to the provisions of this act fifty dollars per full time equivalent student, except those districts that are above the statewide average cost per pupil excluding transportation and did not submit a 1975 special maintenance and operation levy for 1976 collection; and in addition, to those districts submitting 1975 maintenance and operation levies for collection in calendar year 1976, an amount equal to forty percent of a figure determined through the following calculation: The amount that would be or would have been received through the collection of last submitted 1975 special levy for 1976 collection multiplied by the actual collection percentage of the 1974 first half property tax receipts.

NEW SECTION. Sec. 3. Any funds received under the provisions of this act shall be used to reduce the 1976 calendar year excess levies in those districts successfully passing 1975 levies for 1976 collection. In each district affected by this rollback provision each local board of school directors shall certify to the respective board of county commissioners not later than September 15, 1975, a reduction in their 1975 special levy for collection in 1976 in an amount equal to the funds received under the provisions of this act: PROVIDED, That the superintendent of public instruction shall withhold an amount of apportionment funds due to any school district to the extent such district fails to reduce its approved 1975 levy for 1976 collection as provided by this act."

Representatives Hansey, Freeman, Peterson, Eikenberry, Lee, Nelson and Wilson spoke in favor of the amendment, and Representatives Luders and Bagnariol spoke against it.

Mr. Pardini demanded an electric roll call and the demand was sustained.

Mr. Hansey closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hansey and Matthews to Substitute House Bill No. 890, and the amendment was not adopted by the following vote: Yeas, 39; nays, 56; not voting, 3.

Voting yea: Representatives Barnes, Berentson, Blair, Bond, Brown, Chandler, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Seeberger, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Clemente, Thompson.

Mr. Freeman moved adoption of the following amendment by Representatives Freeman, Pardini, Peterson, Greengo, Lee and Zimmerman:

On page 2, beginning on line 31 strike sections 3 and 4 and insert the following:

"NEW SECTION. Sec. 3. There is hereby appropriated to the superintendent of public instruction from the state general fund for the fiscal year ending June 30, 1976 to carry out the provisions of this act, the sum of one hundred two million, four hundred seventy-one thousand, sixty-four dollars, or so much thereof as shall be necessary."

Renumber the remaining sections consecutively.

Mr. Zimmerman moved adoption of the following amendment to the amendment:

In line 4, strike "one hundred two million" and insert "one hundred seventeen million"

Representatives Zimmerman and Leckenby spoke in favor of the amendment to the amendment, and Representative Luders spoke against it.

Mr. Zimmerman closed debate, speaking again in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Zimmerman to the amendment by Representatives Freeman, Pardini and others to Substitute House Bill No. 890, and the amendment to the amendment was not adopted by the following vote: Yeas, 32; nays, 63; not voting, 3.

Voting yea: Representatives Barnes, Berentson, Blair, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Leckenby, Lee, Lysen, Matthews, Nelson, Pardini, Paris, Peterson, Polk, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Charette, Charnley, Chatlas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Flanagan, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Patterson, Thompson.

The Speaker stated the question before the House to be the amendment by Representatives Freeman, Pardini and others.

Representatives Freeman, Deccio, Peterson and Barnes spoke in favor of the amendment, and Representatives Bagnariol and Bauer spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Freeman, Pardini and others to Substitute House Bill No. 890, and the amendment was not adopted by the following vote: Yeas, 32; nays, 63; not voting, 3.

Voting yea: Representatives Barnes, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Peterson, Polk, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatlas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Patterson, Thompson.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 890 was placed on final passage.

Mr. Luders spoke in favor of the bill, and Mr. Pardini spoke against it.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Bagnariol.

Mr. Bagnariol: "Section 5 of this bill states that salary warrants for school district employees shall be paid from budget appropriations. Does this mean school district budget appropriations?"

Mr. Luders: "Yes."

Mr. Bagnariol: "What is meant by the two-month shift in section 3 of this bill?"

Mr. Luders: "Thirty-four million dollars, included in the appropriation in ESHB 862 for the last two months of the 1976-77 school year program (July and August of 1977) will be moved forward and expended in the 75-76 fiscal year. The obligation for July and August of 1977 will become a responsibility of the 77-79 biennium."

Representatives Brown, Greengo, Polk and Moon spoke against passage of the bill, and Mr. Savage spoke in favor of it.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 890, and the bill passed the House by the following vote: Yeas, 70; nays, 26; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Cochrane, Conner, Deccio, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Martinis, Maxie, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Chandler, Clemente, Curtis, Douthwaite, Dunlap, Freeman, Gilleland, Hawkins, Hayner, Hendricks, Hurley M., Kuehnle, Leckenby, Lysen, Matthews, May, Moon, Newhouse, Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Amen, Thompson.

Substitute House Bill No. 890, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Newhouse, Engrossed House Bill No. 436, Substitute House Bill No. 867 and Substitute House Bill No. 890 were ordered transmitted immediately to the Senate.

#### MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen and Thompson, who were excused.

#### MESSAGE FROM THE GOVERNOR

May 16, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 16, 1975, Governor Evans approved the following House Bill, entitled:

HOUSE BILL NO. 139: Regulating the sales of valuable material from public lands.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

#### SENATE AMENDMENTS TO HOUSE BILL

May 9, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 308 with the following amendments:

On page 2, line 13 of both the engrossed and printed bills, after "and" strike "diagnosis" and insert "ascertaining any defects"

On page 10, line 36 of both the engrossed and printed bills, after "Washington," insert "or to any person who is regularly licensed to practice as a dispensing optician in the state of Washington,"

On page 10, line 36 of both the engrossed and printed bills, after "person" strike "including a dispensing optician" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Curtis moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 308.

Representatives Curtis and Gaspard spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 308 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 308 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Valle, Warnke, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Amen, Kalich, Matthews, Moreau, Smith R., Thompson, Tilly, Whiteside, Williams, and Mr. Speaker.

Engrossed Substitute House Bill No. 308 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

May 13, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 307 with the following amendments:

On line 1 of the title strike "repealing" and insert "amending"

On page 1, line 7 strike "NEW SECTION."

On page 1, line 10 after "each" strike the balance of the section and insert "amended to read as follows:

It shall be unlawful to sell any intoxicating liquors, with or without a license on the grounds of the University of Washington, otherwise known and described as follows: Fractional section 16, township 25 north, range 4 east of Willamette Meridian except to the extent allowed under banquet permits issued pursuant to RCW 66.24.490.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Douthwaite moved that the House concur in the Senate amendments to House Bill No. 307.

Representatives Douthwaite and Tilly spoke in favor of the motion, and the motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 307 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 307 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 59; nays, 30; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Ehlers, Eikenberry, Eng, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hawkins, Jueling, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Moreau, Nelson, Newhouse, O'Brien, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Williams, Wojahn.

Voting nay: Representatives Barnes, Bauer, Berentson, Bond, Chandler, Conner, Curtis, Dunlap, Erickson, Fischer, Flanagan, Fortson, Freeman, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Kilbury, Leckenby, McKibbin, North, Paris, Seeberger, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representatives Amen, Deccio, Hurley G. S., Kalich, Pardini, Patterson, Thompson, Whiteside, and Mr. Speaker.

House Bill No. 307 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2715, by Committee on Education (Originally sponsored by Senators Gould and Stortini):

Authorizing delay of school district preliminary budgets.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-second Day ex. sess., May 14, 1975.)

On motion of Mr. Bauer, the committee amendments were adopted.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2715 was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Warnke.

Mr. Warnke: "Is there any indication that those employees of state agencies, schools, counties, cities, municipal corporations, may now, under this bill, be terminated and their places taken by volunteers and the state subsidizing that by picking up the payments for industrial insurance?"

Mr. Bauer: "Representative Warnke, this is Senator Gould's bill that deals with extending two weeks, from June 1 to June 15th, the time the first class school districts have to have a preliminary budget adopted and notification two weeks prior to that in all the newspapers. We are extending that two weeks so that here in the next couple of weeks they will be able to extend for two weeks the notification of their budget, so that when they do notify their budget, it will be so much more consistent with the final budget in September and they won't get into the hassle about its difference because the revenues will be well-known after we leave here."

## POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Luders.

Mr. Luders: "Before this bill went back to the committee, it placed the payrolls of second and third class districts in jeopardy and could have meant a delay of two weeks or more in the paychecks. Has that part of the bill been corrected?"

Mr. Bauer: "Yes, it has. We thought we could handle both first, second and third class districts, but because of the uniqueness of second and third class districts having to have their budget approved by SB's it could have jeopardized by two weeks their July check and so we scratched that part of it in order to eliminate that problem."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2715 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Amen, Kalich, Patterson, Thompson, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2715 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, Engrossed Substitute Senate Bill No. 2715 as amended by the House was ordered transmitted immediately to the Senate.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2322, by Committee on Labor (Originally sponsored by Senators Ridder, Goltz and Morrison— by Office of Community Development request):

Granting medical aid benefits under the industrial insurance act to volunteers.

The bill was read the second time.

On motion of Mr. Chatalas, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2322 was placed on final passage.

Mr. Savage spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2322, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives North, Warnke.

Not voting: Representatives Amen, Kalich, Patterson, Thompson, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2322, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SENATE BILL NO. 2385, by Senators Rasmussen, Sandison and Peterson:

Making certain changes in the laws relating to the Yacolt burn.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-third Day ex. sess., April 25, 1975.)

On motion of Mr. Martinis, the committee amendments were adopted.

Mr. Matthews moved adoption of the following amendment:

Beginning on page 1, line 15 strike all the underlined material through "purposes," on line 16.



Representatives Matthews and Zimmerman spoke in favor of the amendment, and Representatives Martinis and Conner spoke against it.

The amendment was not adopted.

On motion of Mr. Martinis, the rules were suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2385 as amended by the House was placed on final passage.

Mr. Savage spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2385 as amended by the House, and the bill passed the House, by the following vote: Yeas, 87; nays, 8; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Dunlap, Hayner, Hurley M., Kuehnle, Matthews, Polk, Wojahn.

Not voting: Representatives Amen, Patterson, Thompson.

Reengrossed Senate Bill No. 2385 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2411, by Senators Bailey, Stortini, Benitz and Lewis (Harry):

Creating credit union share guaranty association.

The bill was read the second time.

On motion of Mr. Kilbury, the second reading was considered the third, and Engrossed Senate Bill No. 2411 was placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2411, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Thompson.

Engrossed Senate Bill No. 2411, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2434, by Senator Rasmussen:

Permitting the state finance committee to invest in paper secured by the sale or lease of equipment of a corporation located in the state.

The bill was read the second time.

Mrs. Valle moved adoption of the following amendment:

On page 5, beginning on line 13 of the Senate committee amendment, strike "by a foreign government or any agency or instrumentality thereof or" and insert after "Canada" the following ": PROVIDED

HOWEVER, That no equipment financed under such a transaction shall be sold or leased, directly or indirectly, to a foreign government except Canada or to a corporation whose ownership is controlled by interests located outside the United States or Canada"

Representative Valle spoke in favor of the amendment, and Representative Sommers spoke against it.

#### POINT OF INQUIRY

Mrs. Valle yielded to question by Mr. Ceccarelli.

Mr. Ceccarelli: "I'm curious as to what you are trying to accomplish with this amendment. I have to agree with Representative Sommers."

Mrs. Valle: "I'm really saying that as you watch the history of our State Finance Committee, that we have, over the years, broadened their investment power, and I'm simply saying that I would like to restrict the power so that when a corporation comes to the State Finance Committee, or the State Finance Committee comes to a corporation and wants to invest in that corporation, it just seems to me that this is a safety precaution for us here as far as the State Finance Committee is concerned. In every session we liberalize the kinds of procedures and investment procedures that they can have and I am saying that I prefer to restrict it."

Representatives Ceccarelli and Leckenby spoke in opposition to the amendment.

The amendment was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2434 was placed on final passage.

Representatives Sommers and Moon spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2434, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wajohn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Pardini, Williams.

Not voting: Representatives Amen, Greengo.

Engrossed Senate Bill No. 2434, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Thompson, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 496, by Committee on Judiciary (Originally sponsored by Representatives Knowles, Seeberger, Gaspard, Newhouse and Hanna - by Executive request):

Enacting the Juvenile Justice Act of 1975.

The bill was read the third time and placed on final passage.

Representatives Seeberger and Knowles spoke in favor of passage of the bill, and Representative Eikenberry spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 496, and the bill passed the House by the following vote: Yeas, 77; nays, 20; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury,

King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Curtis, Dunlap, Eikenberry, Freeman, Gilleland, Hayner, Hurley M., Jueling, Kuehne, Leckenby, Lee, Matthews, Newhouse, Paris, Polk, Schumaker, Wilson, Zimmerman.

Not voting: Representative Amen.

Engrossed Substitute House Bill No. 496, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 656**, by Committee on State Government (Originally sponsored by Representatives O'Brien, Williams, Polk, Charnley, Paris, Sommers, Ceccarelli and North - by Executive request):

Authorizing a task force on cultural resources.

The bill was read the third time and placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 656, and the bill passed the House by the following vote: Yeas, 86; nays, 7; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jueling, Kalich, Kilbury, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Jastad, Kuehne, Leckenby, Newhouse, Schumaker, Wojahn.

Not voting: Representatives Amen, Barnes, Ceccarelli, Deccio, King.

Substitute House Bill No. 656, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGES FROM THE SENATE

May 15, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 338,  
HOUSE BILL NO. 339,  
HOUSE BILL NO. 750,  
ENGROSSED HOUSE BILL NO. 760,  
HOUSE JOINT MEMORIAL NO. 15,  
HOUSE JOINT MEMORIAL NO. 16,  
HOUSE JOINT MEMORIAL NO. 17,  
HOUSE JOINT MEMORIAL NO. 18,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 16, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 170,  
HOUSE BILL NO. 175,  
SUBSTITUTE HOUSE BILL NO. 183,  
HOUSE BILL NO. 385,  
HOUSE BILL NO. 627,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

#### MOTION

On motion of Mr. O'Brien, the House reverted to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 2454, by Senators Murray, Fleming and North:

Directing the criminal justice education board and commission to establish minimum standards for recruitment of criminal justice personnel.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2454 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2454, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Eikenberry, Newhouse, Wilson.

Senate Bill No. 2454, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2509, by Senator Woody:

Permitting notaries public to use rubber stamps in addition to seals.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2509 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2509, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cochrane, Hurley M., Matthews.

Not voting: Representative Amen.

Engrossed Senate Bill No. 2509, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2608, by Senators Goltz, North and Washington:

Revising fiscal regulation of activated air pollution authorities.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendment, see Journal, Forty-third Day ex. sess., April 25, 1975.)

On motion of Mr. Luders, the committee amendment was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2608 as amended by the House was placed on final passage.

Ms. Becker spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2608 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Maxie.

Senate Bill No. 2608 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE BILL NO. 2945, by Senators Washington, Talley and North:

Authorizing merger of sewer districts across county lines.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2945 was placed on final passage.

Mr. Laughlin spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Laughlin yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Section 4 of this bill deals with an election in the county that contains the largest amount of territory of the proposed consolidated sewer district. I'm a little confused and haven't been able to determine in my own mind whether in any proposed consolidation the vote is held only in the largest county, and therefore in the smaller county that is involved the people would not have any vote in the matter?"

Mr. Laughlin: "The reason for doing it in that manner, Representative Kuehnle, was that it was felt that in most cases you would have the majority of the district, in terms of geography, in one county or the other and it was thought that to determine which county would be the authority, it should be the one with the largest geographic area. You had to establish it one way or the other, and this was the method that was established by the Senate."

Mr. Kuehnle: "My question is, if a merger is contemplated between sewer districts in adjoining counties, then the bill calls for an election in the county that contains the greatest geographic portion of that contemplated merger sewer district. Those people then in that county in the largest sector will have a vote. Will the people in the smaller sector have a vote?"

Mr. Laughlin: "Yes."

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2945, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipnosh, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Maxie, Randall, Wilson.

Senate Bill No. 2945, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SENATE BILL NO. 2077**, by Senators Knoblauch, Wanamaker, Rasmussen and Goltz:

Fixing the compensation of jurors.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2077 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2077, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Maxie, Randall.

Engrossed Senate Bill No. 2077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 2249**, by Committee on Financial Institutions (Originally sponsored by Senators Woody, Clarke and Walgren – by State Treasurer request):

Providing for the qualification and regulation of public depositaries.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2249 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2249, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Maxie.

Substitute Senate Bill No. 2249, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SECOND SUBSTITUTE SENATE BILL NO. 2258**, by Committee on Ways and Means (Originally sponsored by Senators Walgren, Odegaard, Washington, Gould and North):

Screening certain school children in order to identify any children with specific learning disabilities.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-fourth Day ex. sess., May 6, 1975.)

On motion of Mr. Bauer, the committee amendments were adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Second Substitute Senate Bill No. 2258 as amended by the House was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Pardini.

Mr. Pardini: "Will the results of this study be able to help us identify those children who formerly came in under House Bill No. 90, under the special education program?"

Mr. Bauer: "Yes, it will. That report will be made to the legislature and we will be able to determine what our overall obligation is in terms of some standard. It may very well be that the dollar figure isn't as great as some think it might be."

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 2258 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Lee.

Not voting: Representatives Amen, Maxie, North.

Second Substitute Senate Bill No. 2258 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE BILL NO. 2310, by Senator Woody:

Providing for paying savings and loan accounts to foreign executors in the same manner as for other banks.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-second Day ex. sess., April 24, 1975.)

Mr. Ceccarelli moved adoption of the committee amendments.

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Charnley.

Mr. Charnley: "Your remarks did not comment on the second part of the amendment which is new section 3, which says that the association shall have in reserve an amount at least equal to five percent of—the word 'assets' is struck, and the word 'savings' is put in. I would like to have you comment on why this change was necessary and why it's better this way than the way it was before."

Mr. Ceccarelli: "It's true that second part does change the requirement that reserves equal five percent of savings instead of assets. By relating the reserve requirement to savings, an association will not run the risk of being overinvested in a really tight money market which we have faced and which we are now facing. Tight money, Representative Charnley, causes savings and loan associations to borrow from the Federal Home Loan Bank Board and from the Federal Home Loan Bank. This raises their assets and therefore their reserve requirements for investments and makes a portion of their current investments over the statutory limit. Federal regulations require five percent of the savings instead of assets. As a

result both of these amendments were endorsed by the Supervisor of the Division of Savings and Loan simply to simplify some of the work of the institutions that they supervise, while posing no apparent problems for the office. The whole purpose of this is to keep in line with the federal board."

The committee amendments were adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2310 as amended by the House was placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2310 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Knowles, Luders.

Senate Bill No. 2310 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2692**, by Committee on Local Government (Originally sponsored by Senators Fleming, Ridder and Talley):

Establishing standards for making buildings and facilities accessible to and usable by physically disabled persons.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-first Day ex. sess., May 13, 1975.)

Mr. Hanna moved adoption of the committee amendment.

#### MOTION

On motion of Mr. Charette, further action on Engrossed Substitute Senate Bill No. 2692 was deferred, and the bill was ordered placed on the calendar following Engrossed Substitute Senate Bill No. 2616.

**ENGROSSED SENATE BILL NO. 2467**, by Senators Walgren, Clarke and Herr:

Permitting mutual savings banks to convert to savings and loan associations.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2467 was placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2467, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Bauer, Chandler, Maxie.



Engrossed Senate Bill No. 2467, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2480**, by Committee on Financial Institutions (Originally sponsored by Senators Woody and Walgren):

Providing changes in security regulation provisions.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2480 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2480, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnl, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Maxie.

Engrossed Substitute Senate Bill No. 2480, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2616**, by Committee on Natural Resources (Originally sponsored by Senators Wilson, Newschwander and Day):

Requiring notice and a hearing before an exchange of state land.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, Twenty-ninth Day ex. sess., April 11, 1975.)

On motion of Mrs. Hurley (Margaret) the committee amendments were adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2616 as amended by the House was placed on final passage.

Mrs. Hurley (Margaret) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2616 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnl, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Hanna, Maxie.

Engrossed Substitute Senate Bill No. 2616 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2692:**

The House resumed consideration of the bill on second reading.

Mr. Douthwaite moved adoption of the following amendment to the committee amendment:

On page 3, line 7 after "means" insert "the substantial altering or restoration of a building, or structure, or portion thereof, as defined by the council: PROVIDED, That for purposes of buildings or structures, that are used primarily for purpose of Group H occupancies as set forth in the Washington State Building Code, except for hotels or motels, the term 'substantially remodeled or substantially rehabilitated' means"

Representatives Douthwaite and Eng spoke in favor of the amendment to the committee amendment, and Representatives Pardini and Kuehnle spoke against it.

With the consent of the House, Mr. Douthwaite withdrew the amendment.

The committee amendment was adopted.

On motion of Mr. Hanna, the committee amendment to the title was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2692 as amended by the House was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Polk.

Mr. Polk: "On page 5 this amendment strikes that portion of the State Building Code which currently deals with handicapped and inserts the new language about rules and regulations by the council. I'm confused why this is necessary if we already have a national standard that is in our building code. Why are we striking that standard and throwing this to a council to make the decision?"

Mr. Hanna: "I don't know the specific answer to the question. It was felt that we should be consistent with the other building code and leave the responsibility for setting standards with that state council."

Mr. Douthwaite: "I would also like to answer that. The testimony we received from the handicapped people was that the current building code standards are too vague and inexplicit to allow them to be implemented. The intent of the bill is to implement more specifically and to allow progress to be made in adjusting buildings for handicapped people in a more realistic way. Some of these handicapped people are members of this building code advisory council and they are working with the problem. They want to be able to move ahead. The present law, in other words, is not sufficiently clear and explicit to allow them to accomplish anything. This bill is also concurred in by Mr. McKee, who is a representative of the builders."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2692 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 12; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Chandler, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Hansen, Hayner, Kuehnle, Polk, Schumaker.

Not voting: Representatives Amen, Maxie.

Engrossed Substitute Senate Bill No. 2692 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, the House advanced to the eighth order of business.

MOTIONS

On motion of Mr. Charette, SENATE BILL NO. 2020 was rereferred from Committee on State Government to Committee on Commerce.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 307,  
SUBSTITUTE HOUSE BILL NO. 308,  
HOUSE BILL NO. 338,  
HOUSE BILL NO. 339,  
HOUSE BILL NO. 750,  
HOUSE BILL NO. 760,  
HOUSE JOINT MEMORIAL NO. 15,  
HOUSE JOINT MEMORIAL NO. 16,  
HOUSE JOINT MEMORIAL NO. 17,  
HOUSE JOINT MEMORIAL NO. 18.

MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Monday, May 19, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

**SIXTY-SEVENTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wash., Monday, May 19, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representative Deccio, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Barbara Backman and Darrell Saulisbury. Prayer was offered by Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

May 16, 1975

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 219,  
SUBSTITUTE HOUSE BILL NO. 409,  
ENGROSSED HOUSE BILL NO. 1050,  
HOUSE BILL NO. 1075,  
SUBSTITUTE HOUSE BILL NO. 1091,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 16, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2886,  
SENATE CONCURRENT RESOLUTION NO. 114,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

**INTRODUCTION AND FIRST READING**

ENGROSSED SENATE BILL NO. 2886, by Senator Donohue:

Authorizing bond issue for construction of executive offices.

To Committee on Ways and Means - Appropriations

SENATE CONCURRENT RESOLUTION NO. 114, by Senators Lewis (Harry), Mardesich, Matson and Bailey:

Prescribing cut-off dates for consideration of legislative measures.

To Committee on Rules

**REPORTS OF STANDING COMMITTEES**

May 15, 1975

HOUSE BILL NO. 228, Prime Sponsor: Representative Hendricks, enacting the Washington formulary act. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: That the substitute bill by Committee on Social and Health Services be adopted and amended by the following amendment:

On page 4, line 31 of the substitute bill, after "ingredients" insert "if the cost savings are passed on to the customer"

Signed by Representatives Shinpoch, Chairman; Blair, Charette, Ehlers, Freeman, Gaspard, Hansey, Luders, McKibbin, Smith (Edward), Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 15, 1975

HOUSE BILL NO. 1119, Prime Sponsor: Representative Parker, coordinating and surveying the health care delivery system. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Blair, Boldt, Freeman, Gaspard, McKibbin, Smith (Edward), Smith (Rick), Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 16, 1975

ENGROSSED SENATE BILL NO. 2108, Prime Sponsor: Senator Clarke, enacting the uniform foreign money-judgments recognition act. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Maxie, Sherman.

To Committee on Rules for second reading.

May 16, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2359, Prime Sponsor: Senator Rasmussen, designating membership of state committee on salaries, its duties, and fixing maximum salaries of certain appointees and statutory assistant directors. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 23 of the engrossed bill, being line 22 of the printed bill, after "commission" insert "when statutorily authorized to do so"

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson.

To Committee on Rules for second reading.

May 16, 1975

SENATE BILL NO. 2501, Prime Sponsor: Senator Rasmussen, permitting departmental post-audits at reasonable intervals. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 9 strike "every two years or"

On page 1, line 10 after "determine" strike all material down to and including "(years)" on line 11 and insert "but in each case an audit shall be conducted every ((two)) five years"

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson.

To Committee on Rules for second reading.

May 16, 1975

ENGROSSED SENATE BILL NO. 2660, Prime Sponsor: Senator North, permitting nature conservancies to acquire open space for public use. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Chandler, Charnley, Deccio, Douthwaite, Gallagher, Hansen, Hawkins, Wilson, Zimmerman.

To Committee on Rules for second reading.

May 16, 1975

SENATE BILL NO. 2670, Prime Sponsor: Senator Rasmussen, revising liquor license requirements for common carriers. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson.

To Committee on Rules for second reading.

May 16, 1975

ENGROSSED SENATE BILL NO. 2840, Prime Sponsor: Senator Francis, relating to sentencing. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:  
On page 1, line 26 after "nor" insert ", during the first three years of confinement,"  
On page 1, line 29 after "person" strike "during the first three years of confinement"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Smith (Rick), Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Sherman.

To Committee on Rules for second reading.

#### MOTION

Mr. Pardini moved that the Rules Committee be relieved of Senate Concurrent Resolution No. 114, and the resolution be placed at the top of today's second reading calendar.

#### SPEAKER'S RULING (MR. CHARETTE PRESIDING)

The Speaker (Mr. Charette presiding): "The Speaker calls your attention to House Rule 24, which states that every bill shall be read on three separate days unless the House deems it expedient to suspend this rule. That concurrent resolution was read in for the first time today and referred to the Committee on Rules; it is the opinion of the Speaker that would call for a suspension of the rules."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Last week I made a similar motion, only I made the motion while the bill was briefly before the House. Speaker O'Brien at that time ruled that I was required to have a suspension of the rules, but he said also that were I to wait until the bill were referred to the Rules Committee, then it would be a simple motion to relieve the Rules Committee, requiring only a majority vote and was not a suspension of the rules. As I understand your ruling just now, it is a 180 degree turnaround from that prior ruling by Speaker O'Brien."

The Speaker (Mr. Charette presiding): "It is the opinion of the Speaker that it would be possible to take a bill from committee for a majority vote, but the motion was to put it at the top of the calendar to consider today, and that would take a suspension of the rules."

The Speaker (Mr. Charette presiding) stated the question before the House to be the motion by Mr. Pardini to suspend the rules, relieve the Rules Committee of Senate Concurrent Resolution No. 114, and place it at the top of today's second reading calendar.

Mr. Pardini spoke in favor of the motion, and Mr. Thompson spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to relieve Rules Committee of Senate Concurrent Resolution No. 114 and place it on today's calendar, and the motion was lost by the following vote: Yeas, 33; nays, 61; not voting, 4.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Deccio, Eng, Nelson, O'Brien.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2517, by Committee on Higher Education (Originally sponsored by Senators Sandison, Guess, Goltz and Benitz):

Relating to higher education.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2517 was placed on final passage.

Ms. Maxie spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Maxie yielded to question by Mr. Pardini.

Mr. Pardini: "Under this bill is there less likelihood that students who are residents of this state will be admitted to the medical school if we contract for out-of-state students?"

Ms. Maxie: "Will you repeat your question, please?"

Mr. Pardini: "My question is, under this bill where we will be contracting at approximately \$15,000 per student for out-of-state students to come to our University of Washington Medical School, will that have an impact on students of this state who are desiring admittance to the University of Washington Medical School?"

Ms. Maxie: "We are not talking about very many out-of-state students, but it would affect the enrollment of in-state students."

Mr. Pardini: "Adversely?"

Ms. Maxie: "No."

Mr. Pardini: "Positively?"

Ms. Maxie: "Positively. I would like to refer you to how many students we are talking about here."

Mr. Pardini: "My concern is that students in this state on the waiting list to the University of Washington Medical School will not be penalized because of admittance of students from some other states."

Ms. Maxie: "No. The concept here is that the first year basic medical science courses are taught by participating universities, the Universities of Alaska, Montana and Idaho and Washington State University. One year of residency was conducted in communities throughout the region thereby exposing and encouraging new doctors to locate in rural areas and areas underserved medically. The whole purpose of this is to try to insure that doctors do branch out and help rural areas where they don't have any doctor. It's the belief that if the doctor is trained and oriented in this fashion, that the doctors would relocate and there would be no problem. I can understand your concern that this would adversely affect the students from our own state who would like to attend, but I can assure you that this is not the case."

Mr. Pardini: "Ms. Maxie, you have not answered my question directly. I have been told that as a result of this, we will probably increase the number of students at the University of Washington Medical School from 110 to something like 140 within the same appropriation. Has that figure been presented to your committee?"

Ms. Maxie: "The increase from 1971 to 1976 for Washington is from 81 to 131, an increase of 50 students. From a financial standpoint, the entire 50 students from the states of Alaska, Montana and Idaho, which includes an increase of 24 students from this state, will be paid by appropriations from the legislatures of the OMI states, that's Alaska, Montana and Idaho. The remaining increase of first year students, 16 students, will include 6 at the University of Washington and 10 at Washington State University. The students at Washington State University are in addition to the 10 first year students registered at WSU in the autumn quarter of 1974, for a total of 20 students."

Mr. Charnley spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2517, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall,

Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Jueling, Lysen, Wojahn.

Not voting: Representatives Deccio, Eng, O'Brien.

Engrossed Substitute Senate Bill No. 2517, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2117, by Senators Walgren, Beck and Guess (by Department of Highways request):

Providing for the execution of conveyances by the director of the department of highways.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2117 was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2117, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Eng, Moon, O'Brien.

Engrossed Senate Bill No. 2117, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2271, by Senators Donohue, Newschwander, Sandison, Matson and Washington (by Superintendent of Public Instruction request):

Authorizing increased state matching funds for school construction.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-fifth Day ex. sess., May 7, 1975.)

On motion of Mr. Shipoch, the committee amendments were adopted.

Mr. Polk moved adoption of the following amendments:

On page 1, line 17 of the engrossed bill, after "of" and before "acquiring" insert "preliminary planning."

On page 1, line 25 of the engrossed bill, after "formula" insert "which may include the full cost incurred by the school districts for preliminary planning"

Mr. Polk spoke in favor of the amendments, and Mr. Luders spoke against them.

Mr. Polk spoke again in favor of the amendments.

The amendments were not adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2271 as amended by the House was placed on final passage.

Mr. Shipoch spoke in favor of passage of the bill.



## POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Flanagan.

Mr. Flanagan: "In the Ways and Means Committee hearings, the Department of Natural Resources indicated that there was a large drop in the returns going into this fund because of drops in the price of timber sales, and they indicated that by the end of this biennium they might not have enough money left in reserve in their account to operate their program. I was wondering what the effect is when we increase the state match on this and there isn't any money left to do it in this common school construction account? What happens then?"

Mr. Shinpoch: "I'm not sure I understand your question, but if we do use all the money that's in the common construction account, are you asking what happens?"

Mr. Flanagan: "Yes. They indicated that the funds are diminishing because of drops in the prices of timber sales and that they have had to revise their estimates four times, the way I understood it."

Mr. Shinpoch: "I think it was pretty well the consensus that there would not be sufficient bond issues passed—it is estimated now instead of being \$119 million, it will probably be closer to 88 or 90 million that will be in it; however, I thought it was pretty clear that the consensus was that there would not be sufficient bond issues passed by the schools to use up that fund and, in fact, they thought that probably no more than half of it would be used. In any event, assuming that it was all used, then there would just not be any additional money in the next biennium until the fund was built up again. Approximately, as I recall, there is something over \$40 million that is in there left over from the last biennium of bond issues by the schools that did not pass and I suspect that is probably going to be the pattern for some time yet."

Representatives Whiteside and Ehlers spoke in favor of passage of the bill, and Mr. Leckenby spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2271 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Leckenby, Zimmerman.

Not voting: Representatives Chandler, Deccio, Moon.

Engrossed Senate Bill No. 2271 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## EXPLANATION OF VOTE

I voted "no" on Engrossed Senate Bill No. 2271 after hearing Representative Leckenby's comments, and realizing that we must first face the real financial issue of providing funds to operate present schools before we build more. Evergreen School District has had to delay opening four schools, and will have to close others to obtain necessary funds for their operation.

HAL ZIMMERMAN, 17th District.

ENGROSSED SENATE BILL NO. 2393, by Senators Peterson, Lewis (Harry) and Rasmussen:

Authorizing the director of game to open, close, shorten, or reopen seasons by his order.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2393 was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2393, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Chandler, Deccio, Moon.

Engrossed Senate Bill No. 2393, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien assumed the Chair.

ENGROSSED SENATE BILL NO. 2466, by Senators Walgren, Clarke and Bottiger:

Providing for deposit of retained percentage funds on public works contract in bank or savings accounts.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-third Day ex. sess., May 5, 1975.)

On motion of Mr. Ceccarelli, the committee amendment to page 3 was adopted.

Mr. Polk moved adoption of the following amendment:

On page 2, section 1, line 6 strike "entire contract" and insert "~~entire contract~~) moneys earned by the contractor"

Mr. Polk spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Polk yielded to question by Mr. Charette.

Mr. Charette: "Your amendment would insert 'moneys earned by the contractor.' When we are talking about retained percentages, we are generally talking about that percentage of the money that will be retained upon the completion of the contract. I can't understand how they are going to be able to figure out, without a contest between the public body and the contractor, what moneys have been earned."

Mr. Polk: "The language 'earned by the contractor' is listed from language on page 1, line 12, which is the way it was stated earlier in the same section of the bill. That is the reason I chose that language and what we are really talking about is on the monthly draws, leading to the time of final completion. What I'm talking about is the monthly draws rather than what has finally been earned at the end of the contract, and that's why that language was chosen as a means of determining how much they have coming at any stage of construction."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to Engrossed Senate Bill No. 2466, and the amendment was adopted by the following vote: Yeas, 73; nays, 21; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Berentson, Blair, Bond, Brown, Chandler, Charette, Charnley, Chatalas, Curtis, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Clemente, Cochrane, Conner, Gaines, Haussler, Hawkins, Hurley G. S., Kilbury, King, Leckenby, Maxie, Parker, Smith R., Warnke, Wojahn.

Not voting: Representatives Deccio, Knowles, Luders, Moon.

On motion of Mr. Ceccarelli, the committee amendment to the title was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2466 as amended by the House was placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2466 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 6; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Conner, Lysen, North, Valle, Williams.

Not voting: Representatives Deccio, Kuehnle, Luders, Moon, Polk, Whiteside.

Engrossed Senate Bill No. 2466 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please record my vote as "aye" on Engrossed Senate Bill No. 2466 as amended by the House.

JIM WHITESIDE, 14th District.

SENATE BILL NO. 2636, by Senators Donohue, Sellar, Sandison and Matson:

Implementing law relating to construction of Washington State University tree fruit research center and financing thereof.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2636 was placed on final passage.

Ms. Maxie spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2636, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Leckenby.

Not voting: Representatives Deccio, Moon, and Mr. Speaker.

Senate Bill No. 2636, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2855, by Committee on Higher Education (Originally sponsored by Senators Newschwander, Walgren, Sandison and Peterson):

Excluding certain community college faculty appointments from rights relating to tenure.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2855 was placed on final passage.

Ms. Maxie spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2855, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnepoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Moon.

Engrossed Substitute Senate Bill No. 2855, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2960, by Senators Henry, Matson and Morrison (by Department of Emergency Services request):

Making changes in the laws relating to emergency services.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended the second reading considered the third, and Senate Bill No. 2960 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2960, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnepoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Moon.

Senate Bill No. 2960, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Deccio, who was excused.

## MESSAGES FROM THE SENATE

May 19, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2715, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 19, 1975.

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 307,  
 SUBSTITUTE HOUSE BILL NO. 308,  
 HOUSE BILL NO. 338,  
 HOUSE BILL NO. 339,  
 HOUSE BILL NO. 750,  
 HOUSE BILL NO. 760,  
 HOUSE JOINT MEMORIAL NO. 15,  
 HOUSE JOINT MEMORIAL NO. 16,  
 HOUSE JOINT MEMORIAL NO. 17,  
 HOUSE JOINT MEMORIAL NO. 18,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 19, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2715,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 19, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to SECOND SUBSTITUTE SENATE BILL NO. 2258, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SUBSTITUTE SENATE BILL NO. 2715,  
 SUBSTITUTE HOUSE BILL NO. 219,  
 SUBSTITUTE HOUSE BILL NO. 409,  
 HOUSE BILL NO. 1050,  
 HOUSE BILL NO. 1075,  
 SUBSTITUTE HOUSE BILL NO. 1091.

## SECOND READING

HOUSE BILL NO. 845, by Representative Kilbury:

Relating to agriculture.

The bill was read the second time.

On motion of Mr. Thompson, further consideration of House Bill No. 845 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 1178.

HOUSE BILL NO. 671, by Representatives Sommers and Randall:

Modifying timber tax revenue distribution dates.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-seventh Day ex. sess., May 9, 1975.)

On motion of Mr. Randall, the committee amendments were adopted.

House Bill No. 671 was ordered engrossed.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 671 was placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Moon.

Mr. Moon: "Under the new definition of harvesters, does this eliminate anybody who may cut timber for another person if there is no change in ownership or title to the timber?"

Mr. Randall: "No, the act does not refer to that."

Mr. Moon: "Then somebody who contracts his services out—I just noticed the last sentence says it does not include persons performing under contract the necessary labor or mechanical services for a harvester. That's what I'm getting at, if somebody just performs the labor, in other words, he gets the contract to cut timber for a timber land owner who also owns the timber, if there is no exchange or change in the ownership of the timber, all he does is the matter of contract his labor, then is he considered the harvester, or is the owner of the property and the timber considered the harvester?"

Mr. Randall: "The owner of the timber is considered the harvester."

Mr. Moon: "If he never owns the timber, he is not the harvester?"

Mr. Randall: "That's right."

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Pardini.

Mr. Pardini: "When the Forest Practices Act was initially passed, the basis on which the forest practices act would become equitable was the indices developed by the Department of Revenue for assessing the tax on the cut. If we do away with assessing these indices, isn't it very likely that there are going to be greater inequities in that forest tax collected?"

Mr. Randall: "No. The reason being that in testimony given before the advisory committee on forest practices, it was shown unequivocally that the relationship between the percentage change that was indicated by the indices and the stumpage value for various species was not correlative. It didn't actually relate to stumpage values; it was a very poor correlation. It made it very hard for the department to comply and rather than to use an indices to compute stumpage values or the need for changing those stumpage values, I should say, the department has said that they are going to put out stumpage values semi-annually and keep them updated that closely. As it is now they relate to these indices as a percentage change to gear a change in stumpage values and it just hasn't been workable."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 671, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipnatch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hansey, Pardini.

Not voting: Representatives Blair, Deccio, Kalich.

Engrossed House Bill No. 671, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 778, by Representatives Charnley and Douthwaite:

Increasing certain benefits to retirees under teachers' retirement act.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-second Day ex. sess., May 14, 1975.)

Mr. Warnke moved adoption of the committee amendment to page 1, adding a new section 2.

#### POINT OF ORDER

Mr. Pardini: "House Rule 26 provides that any bill, joint or concurrent resolution which includes change to existing law regarding public pensions shall be on the calendar for five days and shall have an actuarial report. I am inquiring of the Chair if this bill has been on the calendar for five days and if an actuarial report accompanied it?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears that your point of order is well taken; bills are required to be placed on the members' desks five days prior to any vote thereon. Apparently the bill has been here for four days only."

#### POINT OF ORDER

Mr. Pardini: "I would not in any way want to jeopardize this bill. The second half of that rule also provides for an actuarial report and I am wondering if we have an actuarial report and whatever else is necessary to conform with the rules so that we can consider it tomorrow?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The rule states that '(a) Any committee must attach a written summary of the actuarial investigation of the impact of such bill, joint or concurrent resolutions certified by an actuary (as defined in chapter 41.04 RCW)...' so apparently according to the rule it would require an actuarial investigation and a written summary of it attached to the bill. Your point is well taken."

#### MOTION

Mr. Warnke moved that House Rule 26 be suspended for the purpose of immediately considering the committee amendment to House Bill No. 778.

Mr. Warnke spoke in favor of the motion, and it was carried.

The committee amendment was adopted.

On motion of Mr. Warnke, the committee amendment to the title was adopted.

House Bill No. 778 was ordered engrossed.

Mr. Gaspard moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 778 be placed on final passage.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed House Bill No. 778 to final passage, and the motion was carried by the following vote: Yeas, 84; nays, 13; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Dunlap, Freeman, Gilleland, Hayner, Kuehnle, Lee, Matthews, Newhouse, Pardini, Polk, Schumaker.

Not voting: Representative Deccio.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 778.

Representatives Charnley, Kuehnle and Douthwaite spoke in favor of passage of the bill, and Mr. Pardini spoke against it.

## POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Matthews.

Mr. Matthews: "I understand that you have an actuarial report on this bill. Could you outline for me what that actuarial report says regarding unfunded liability or what it does bring out for us?"

Mr. Warnke: "The actuarial report that we have deals with two areas: It deals first of all with whether or not House Bill No. 265 passes, which has already passed this House. If you will recall, House Bill No. 265 amortized over a forty year period of time, the unfunded liability of post retirement benefit increases for teachers' retirement systems, exactly like all other retirement systems. Our actuarial report from James Riggs, the consulting actuary for the systems, indicates that cost for the 1975-77 biennium is \$3.3 million; 1977-79, \$3.6 million; 1979-81, \$3.9 million; 1981-83, \$4.2 million; and 1983-85, \$4.6 million. That is what the actuarial report indicates. We do have a letter from the Public Pension Commission stating about what Mr. Kuehnle said, that they have considered the bill, but they did not take a position because of the differences in House Bill No. 200 and the cost of living increases in that area. I would like to relay to the members of this House that we studied House Bill No. 778 for some time in relation to House Bill No. 200, and it was the committee's feeling after all testimony, from the actuarial study, from the members of the system, the director of the system, that we could and would fund this post-retirement increase for these three groups and that bill is now before you."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 778, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Dunlap, Freeman, Pardini.

Not voting: Representatives Deccio, Kalich.

Engrossed House Bill No. 778, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1123, by Representatives Randall, Nelson, Sommers and Smith (Rick):

Enacting new gift tax law.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-second Day ex. sess., April 24, 1975.)

On motion of Mr. Randall, the committee amendments were adopted.

House Bill No. 1123 was ordered engrossed.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1123 was placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1123, and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin,



Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bond, Flanagan, Hayner, Matthews, Tilly, Zimmerman.

Not voting: Representatives Deccio, Kalich.

Engrossed House Bill No. 1123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1178, by Representative Sommers:

Relating to state government.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 1178 was substituted for House Bill No. 1178, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1178 was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1178 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1178, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chatalas, Conner, Deccio, Kalich.

Substitute House Bill No. 1178, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 845, by Representative Kilbury:

The House resumed consideration of House Bill No. 845.

On motion of Mr. Randall, Substitute House Bill No. 845 was substituted for House Bill No. 845, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 845 was read the second time.

On motion of Mr. Randall, the following amendments were adopted:

On page 2, line 1 after "animals" strike "or birds"

On page 2 strike all of section 3 and renumber the remaining sections consecutively.

On page 4, beginning on line 17 after "to the" strike all material down to and including "1979" on line 19 and insert "state treasurer for deposit in the general fund"

Mr. Randall moved adoption of the following amendment:

On page 4, beginning on line 20 strike all of section 6 and insert the following:

"NEW SECTION. Sec. 6. There is hereby appropriated from the general fund to the department of agriculture for the fiscal biennium beginning July 1, 1975 and ending June 30, 1977 the sum of \$470,000 to be used exclusively for the support of an animal diagnostic laboratory."

Mr. Randall spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Patterson.

Mr. Patterson: "I notice that this amendment provides for an appropriation to operate the laboratory for just the coming biennium. I was wondering whether or not the intent here

is that the moneys generated from the other sources would be set aside for future appropriations? I realize the money goes into the general fund, and they are not dedicated, but technically are they being dedicated for this purpose in the future?"

Mr. Moon: "No legislature can appropriate funds in the general fund for more than two years. That's what we are doing here—making a general fund appropriation for two years. We have, as I understand the amendments, excluded the parimutuel funds because that would have been a bookkeeping shift from the parimutuel into general funds and from general funds into the special animal diagnostic fund. What we are doing here is appropriating from the general fund \$470,000 for the animal diagnostic laboratory and if there is not sufficient money generated by industry from the assessments that are set forth under section 4, any additional moneys would come from the general fund, or if that should by chance generate more than that amount of money (and I don't think it will) that money would go into the general fund and stay there. I think the amendment is written the best that we can do."

The amendment was adopted.

Mr. Flanagan moved adoption of the following amendment:

On page 4, line 4 after "assessment" strike down to and including "six" on line 8 and insert "of four"

Representatives Flanagan and Kilbury spoke in favor of the amendment, and Representatives Randall and Moon spoke against it.

The amendment was not adopted.

On motion of Mr. Randall, the following amendment to the title was adopted:

On page 1, line 3 of the title after "RCW 16.38.020;" strike the remainder of the title and insert the following: "adding new sections to chapter 100, Laws of 1969 and to chapter 16.38 RCW; making an appropriation; declaring an emergency; and prescribing an effective date."

Substitute House Bill No. 845 was ordered engrossed.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 845 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 845, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hausler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wajahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representatives Deccio, Kalich, Nelson.

Engrossed Substitute House Bill No. 845, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2071, by Senators Bottiger, Woody and Scott:

Increasing fees for service in process.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixtieth Day ex. sess., May 12, 1975.)

On motion of Mr. Seeberger, the committee amendments were adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2071 as amended by the House was placed on final passage.

Mr. Seeberger spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Seeberger yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "In that final amendment in which you were adding 'For conducting sale of personal property, etc. . . .' what is involved in that conducting of the sale? That seems like a rather modest figure for conducting a sale and I wonder what's involved?"

Mr. Seeberger: "I don't believe I have ever attended one of these sales, but it is my understanding that it is personal property that may have been property that was stolen or collected by the sheriff's office for one reason or another and after the appropriate and legal period of time this kind of thing may be put on sale. I think things like bicycles, for example, when they have a sale of bicycles that have been found and no one ever claims them, now they would have a regular fee for collecting these kinds of things and they asked us to put this in the bill."

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2071 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berenson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Eikenberry, Hansey, Zimmerman.

Not voting: Representatives Deccio, Kalich, Newhouse.

Senate Bill No. 2071 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2146, by Senators Donohue, Buffington, Jolly and Ridder:

Establishing procedures for granting increases in firemen and police pension benefits.

The bill was read the second time.

Mr. May moved adoption of the following amendment:

On page 3, section 4, line 33 after "chapter 382," and before "Laws of 1973 1st ex. sess." insert "Laws of 1955 as last amended by section 73, chapter 154,"

Mr. Kuehnle spoke in favor of the amendment, and it was adopted.

On motion of Mr. Kuehnle, the following amendment by Representatives Kuehnle and Warnke was adopted:

On page 4, section 4, line 21 after "rearranges" strike all the material down to and including "year" on line 26 and insert "(All pensions payable under the provisions of this section shall be subject to an annual cost of living increase which shall be equal to two percent of the pension granted the widow or widower at the time of the death of the fireman. This increase shall be effective and be paid starting with the January payment of each succeeding year)"

On motion of Mr. May, the following amendment to the title was adopted:

On line 4 of the title after "RCW 41.16.145;" and before "amending" insert "amending section 8, chapter 382, Laws of 1955 as last amended by section 73, chapter 154, Laws of 1973 1st ex. sess. and RCW 41.18.100;"

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2146 as amended by the House was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2146 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehntle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Kalich, Randall.

Engrossed Senate Bill No. 2146 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2253, by Senator Day (by Department of Social and Health Services request):

Specifying the number and qualifications of the state board of examiners for nursing home administrators.

The bill was read the second time.

On motion of Mr. Matthews, the following amendment by Representatives Matthews and Adams was adopted:

On page 1, line 19 after the period strike down to and including "professional" on line 19 and insert "Eight of the board's (nine)"

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2253 as amended by the House was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2253 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehntle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Matthews.

Not voting: Representatives Deccio, Kalich.

Engrossed Senate Bill No. 2253 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2278, by Senators Ridder, McDermott, Goltz and Francis (by Department of Social and Health Services request):

Providing sanctions for violation of nursing home standards; providing for inspections, reports, and provisional licensing.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifty-sixth Day ex. sess., May 8, 1975.)

On motion of Mr. Parker, the committee amendment was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2278 as amended by the House was placed on final passage.

Mr. Parker spoke in favor of passage of the bill, and Mr. Matthews spoke against it.

Mr. Parker spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2278 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 15; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Chatalas, Dunlap, Flanagan, Freeman, Gilleland, Kuehnle, Leckenby, Matthews, Polk, Schumaker, Tilly, Zimmerman.

Not voting: Representatives Deccio, Kalich.

Engrossed Senate Bill No. 2278 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

SENATE BILL NO. 2328, by Senators Guess, Bottiger and Lewis (Bob - by Department of Highways request:

Providing a change in the distribution and utilization of motor vehicle fuel and use taxes.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2328 was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2328 and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Ehlers, Erickson, Gaspard, Kuehnle, North.

Not voting: Representatives Deccio, Kalich.

Senate Bill No. 2328, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2395, by Senators Woody, Marsh and Buffington:

Directing that court reporters' salaries in judicial districts in nonclass AA counties be set by county commissioners.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-first Day ex. sess., May 13, 1975.)

On motion of Mr. Seeberger, the committee amendments were adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2395 as amended by the House was placed on final passage.

Mr. Seeberger spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2395 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kuehnle, Patterson.

Not voting: Representatives Deccio, Kalich.

Engrossed Senate Bill No. 2395 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2416, by Senators Francis, Clarke and Fleming:

Changing requirements for foreclosing a deed of trust.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-seventh Day ex. sess., April 29, 1975.)

On motion of Mr. Smith (Rick), the committee amendments were adopted.

Mr. Gallagher moved adoption of the following amendments:

On page 1, following line 23 insert a new subsection as follows:

"(d) Any agency of the United States government."

On page 2, line 10 after "trust)" insert "PROVIDED, That any agency of the United States government may be both trustee and beneficiary under the same deed of trust"

Representatives Gallagher and Smith (Rick) spoke in favor of the amendments, and they were adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2416 as amended by the House was placed on final passage.

Mr. Smith (Rick) spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2416 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Jueling, Kalich.

Engrossed Senate Bill No. 2416 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. Newhouse moved that the Committee on Ways and Means be relieved of Substitute Senate Bill No. 2765, and that the bill be placed on the second reading calendar for today.

Mr. Charette demanded an electric roll call and the demand was sustained.

Representative Newhouse spoke in favor of the motion, and Representatives Bagnariol and Warnke spoke against it.

#### POINT OF INFORMATION

Ms. Sommers: "Rule 26 states in regard to pension bills that 'Such bills shall be placed on the members' desks at least five days prior to any vote thereon.' In Representative Newhouse's motion and during his comments, he was assuming that this bill must be on the calendar for five days and I would like to have the Speaker rule on this point, because the way I read it, the bill can simply be placed on the members' desks."

#### SPEAKER'S RULING

The Speaker: "I hate to be ruling ahead of time on a matter that isn't before us. It says that the bill be placed on the members' desks. I think it would mean, at this time without further research, that you wouldn't know what the bill was until it came out of committee. It would at least have to be reported out of committee before it could ever be placed on your desks for five days."

Representatives Kuehnle and Freeman spoke in favor of the motion, and Representatives Sommers, Moon, Hurley (George), Blair and Peterson spoke against it.

Mr. Charette demanded the previous question, and the demand was not sustained.

Mr. Newhouse closed debate, speaking again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to relieve the Committee on Ways and Means of Substitute Senate Bill No. 2765 and place it on the second reading calendar, and the motion was lost by the following vote: Yeas, 18; nays, 78; not voting, 2.

Voting yea: Representatives Bond, Brown, Chandler, Curtis, Flanagan, Freeman, Gilleland, Hayner, Kuehnle, Lee, Nelson, Newhouse, Pardini, Polk, Schumaker, Seeberger, Tilly, Whiteside.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Matthews.

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Tuesday, May 20, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SIXTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 20, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Deccio, Luders and Zimmerman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Zerby and Jim Hendricks. Prayer was offered by the Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE SENATE

May 19, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2077,  
 SUBSTITUTE SENATE BILL NO. 2249,  
 SECOND SUBSTITUTE SENATE BILL NO. 2258,  
 SUBSTITUTE SENATE BILL NO. 2322,  
 SENATE BILL NO. 2411,  
 SENATE BILL NO. 2434,  
 SENATE BILL NO. 2454,  
 SENATE BILL NO. 2467,  
 SUBSTITUTE SENATE BILL NO. 2480,  
 SENATE BILL NO. 2509,  
 SENATE BILL NO. 2945,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 19, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2616, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

## REPORTS OF STANDING COMMITTEES

May 15, 1975

HOUSE BILL NO. 12, Prime Sponsor: Representative Conner, changing Viet Nam veterans' bonus laws. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass as amended by Committee on State Government along with the following amendments:

On page 1, line 27 after "~~FURTHER~~")" strike all material down to and including "days, or" on page 2, line 5

On page 4, line 3 strike "under this chapter" and insert "~~(under this chapter)~~ permitted pursuant to provisions of RCW 73.34.020(3) as now or hereafter amended"

On page 4, line 4 strike "1977" and insert "1975"

On page 4, line 9 strike "December 31, 1978" and insert "June 30, 1976"

On page 4, following line 11 add a new section as follows:

"NEW SECTION. Sec. 4. There is hereby appropriated from the War Veterans' Compensation Fund the sum of seventy-five thousand, six hundred dollars or so much as is necessary to carry out the provisions of this act for the period ending June 30, 1976."

On page 1, line 4 of the title after "73.34.090;" strike "and" and on line 6 after "73.34.120" insert "; and declaring an emergency"



Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Blair, Boldt, Ehlers, Freeman, Gaspard, McKibbin, Polk, Smith (Rick), Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 19, 1975

HOUSE BILL NO. 677, Prime Sponsor: Representative Valle, setting forth limitations on use of quarterly employed community college faculty. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ways and Means - Appropriations.

May 15, 1975

HOUSE BILL NO. 680, Prime Sponsor: Representative Warnke, prescribing changes in state patrol retirement systems. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Blair, Boldt, Ehlers, Freeman, Gaspard, Polk, Smith (Edward), Smith (Rick), Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 15, 1975

HOUSE BILL NO. 682, Prime Sponsor: Representative Warnke, abolishing the public pension commission. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Bagnariol, Bausch, Blair, Boldt, Chatalas, Charette, Ehlers, Gaspard, Smith (Edward), Smith (Rick), Thompson, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives North, Vice Chairwoman; Freeman, Polk.

To Committee on Rules for second reading.

May 15, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2006, Original Prime Sponsor: Senator Henry, creating a state department of veterans affairs. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass and amendment proposed by Committee on State Government be adopted. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Boldt, Ehlers, Freeman, Gaspard, McKibbin, Polk, Smith (Rick), Thompson, Valle.

To Committee on Rules for second reading.

May 15, 1975

ENGROSSED SENATE BILL NO. 2070, Prime Sponsor: Senator Francis, revising regulations and payments to victims of crimes. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman, North, Vice Chairwoman; Bagnariol, Bausch, Blair, Boldt, Flanagan, Freeman, Gaspard, McKibbin, Polk, Smith (Edward), Smith (Rick), Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 15, 1975

ENGROSSED SENATE BILL NO. 2227, Prime Sponsor: Senator Guess, authorizing acquisition of surplus Expo facilities for Walla Walla Community College. Reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass and amendments proposed by Committee on Higher Education not be adopted. Signed by Representatives Shinpoch, Chairman; North, Vice Chairwoman; Bagnariol, Bausch, Blair, Boldt, Ehlers, Flanagan, Freeman, Gaspard, Polk, Smith (Edward), Smith (Rick), Thompson, Warnke.

To Committee on Rules for second reading.

May 16, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2618, Original Prime Sponsor: Senator Rasmussen, relating to public contracts. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 18 after "of" strike "\$2500" and insert "\$25,000"

On page 6, line 10 after "administration" insert "or his designee"

On page 6, line 16 after "auditor" insert "or his designee"

Signed by Representatives Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson.

To Committee on Rules for second reading.

May 19, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2628, Original Prime Sponsor: Senator Sandison, enacting new law relating to regulation of postsecondary proprietary schools and their agents. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Bond, Charnley, Nelson, Patterson, Perry, Peterson, Savage.

To Committee on Rules for second reading.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2519, by Committee on Higher Education (Originally sponsored by Senators Goltz, Guess and Benitz):

Relating to the council on higher education.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-sixth Day ex. sess., May 8, 1975.)

On motion of Ms. Maxie, the committee amendments were adopted.

Mr. Nelson moved adoption of the following amendment by Representatives Nelson and Patterson:

On page 4, line 17 after "large" strike "one of whom shall be full time" and insert "; one"

Representatives Nelson and Peterson spoke in favor of the amendment, and Representatives King and Maxie spoke against it.

Mr. Thompson demanded an electric roll call and the demand was sustained.

Representatives Patterson and Boldt spoke in favor of the amendment, and Mr. Charnley spoke against it.

Mr. Thompson demanded the previous question and the demand was not sustained.

Mr. Bond spoke in favor of the amendment, and Mr. Nelson closed debate, again speaking in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nelson and Patterson to Substitute Senate Bill No. 2519, and the amendment was not adopted by the following vote: Yeas, 32; nays, 61; not voting, 5.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Hansen, Hansey, Hayner, Hurley M., Jastad, Jueling, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Haussler, Hawkins, Hendricks, Hurley G. S., Kalich, Kilbury, King, Knowles, Laughlin, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Deccio, Luders, Moreau, Smith E. P., Zimmerman.

The Clerk read the following amendment by Representatives Nelson and Patterson:

On page 4, line 34 after "governor." insert a new paragraph:

"The student member is to be selected by representatives of recognized student associations in such manner as they shall determine."

With the consent of the House, Mr. Nelson withdrew the amendment.

Mr. Gaspard moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2519 as amended by the House be placed on final passage.

#### ROLL CALL

The Clerk called the roll on the motion to advance Substitute Senate Bill No. 2519 as amended by the House to final passage, and the motion was carried by the following vote: Yeas, 66; nays, 29; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipchock, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Kuehnl, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Not voting: Representatives Deccio, Juelling, Zimmerman.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute Senate Bill No. 2519 as amended by the House.

Ms. Maxie spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2519 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 10; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Seeberger, Sherman, Shipchock, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, and Mr. Speaker.

Voting nay: Representatives Barnes, Bond, Gilleland, Hurley M., Kuehnl, Nelson, Paris, Schumaker, Wilson, Wojahn.

Not voting: Representatives Deccio, Juelling, Luders, Zimmerman.

Substitute Senate Bill No. 2519 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Chatalas, Substitute Senate Bill No. 2519 as amended by the House was ordered transmitted immediately to the Senate.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SENATE BILL NO. 2077,  
 SUBSTITUTE SENATE BILL NO. 2249,  
 SECOND SUBSTITUTE SENATE BILL NO. 2258,  
 SUBSTITUTE SENATE BILL NO. 2322,  
 SENATE BILL NO. 2411,  
 SENATE BILL NO. 2434,  
 SENATE BILL NO. 2454,  
 SENATE BILL NO. 2467,  
 SUBSTITUTE SENATE BILL NO. 2480,  
 SENATE BILL NO. 2509,

## SENATE BILL NO. 2945.

ENGROSSED SENATE BILL NO. 2619, by Senators Day, Buffington and McDermott:  
Providing a state-wide medical education system for family practice training.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2619 was placed on final passage.

Representatives Parker, Newhouse and Maxie spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2619, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Deccio, Luders, Zimmerman.

Engrossed Senate Bill No. 2619, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2623, by Senators Marsh and Stortini:

Requiring reports of child abuse to be forwarded to the prosecuting attorney for investigation and action.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-seventh Day ex. sess., May 9, 1975.)

Mr. Smith (Rick) moved adoption of the committee amendment to the body of the bill.

On motion of Mr. Parker, the following amendments to the committee amendment by Representatives Parker and Eikenberry were adopted:

On page 4, line 13 after "agency" strike "or juvenile court officer"

On page 5, line 6 after "agency" strike "or juvenile court officer"

On page 5, lines 33 and 34, after "agency" strike "or juvenile court officer"

On page 8, beginning on line 13 with "The Rules" strike all material down to and including "hearing." on line 19

On page 8, line 21 after "No" strike "evidence acquired as a result of" and insert "testimony given at"

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment as amended.

Mr. Smith (Rick) spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Mr. Smith (Rick), the committee amendment to the title was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2623 as amended by the House was placed on final passage.

Representatives Parker and Eikenberry spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2623 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan,

Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Deccio, Luders, Zimmerman.

Engrossed Senate Bill No. 2623 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

May 19, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 86,  
ENGROSSED HOUSE BILL NO. 295,  
HOUSE BILL NO. 806,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Thompson, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Deccio and Zimmerman, who were excused.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:  
SUBSTITUTE HOUSE BILL NO. 86,  
HOUSE BILL NO. 295,  
HOUSE BILL NO. 806.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2713, by Committee on Local Government (Originally sponsored by Senator Walgren):

Changing requirements for county road construction day labor contracts.

The bill was read the second time.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn, Boldt, Blair and Lee:

On page 1, section 1, line 9 and line 13 before "thousand" strike "fifty" and insert "thirty-five"

Representatives Wojahn and Blair spoke in favor of the amendment, and Mr. Haussler spoke against it.

Mr. Conner demanded an electric roll call and the demand was sustained.

Representative Lee spoke in favor of the amendment, and Representatives Kalich, Schumaker and Moon spoke against it.

Mr. Charette demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Wojahn and others to Substitute Senate Bill No. 2713, and the amendment was adopted by the following vote: Yeas, 48; nays, 45; not voting, 5.

Voting yea: Representatives Bagnariol, Barnes, Bausch, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Curtis, Dunlap, Eikenberry, Erickson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hansey, Hurley G. S., Hurley M., Juelling, Knowles, Kuehnle, Leckenby, Lee, Luders, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Peterson, Polk, Sherman, Shinpoch, Smith E. P., Valle, Warnke, Whiteside, Wojahn.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Berentson, Chatalas, Conner, Douthwaite, Ehlers, Eng, Fischer, Flanagan, Fortson, Gallagher, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Laughlin, Lysen, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Randall, Savage, Schumaker, Seeberger, Smith R., Sommers, Thompson, Tilly, Williams, Wilson.

Not voting: Representatives Deccio, Martinis, Perry, Zimmerman, and Mr. Speaker.

## MOTION FOR RECONSIDERATION

Mr. Charette, having voted on the prevailing side, moved that the House do immediately reconsider the vote by which the amendment by Representative Wojahn and others to Substitute Senate Bill No. 2713 was adopted.

Representatives Charette, Haussler, Conner, Amen, Moon, Flanagan, McKibbin and Schumaker spoke in favor of the motion, and Representatives Wojahn and Lee spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion for reconsideration of the vote by which the amendment by Mrs. Wojahn and others to Substitute Senate Bill No. 2713 was adopted, and the motion was carried by the following vote: Yeas, 50; nays, 44; not voting, 4.

Voting yea: Representatives Adams, Amen, Bauer, Bausch, Becker, Berentson, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Fischer, Flanagan, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Laughlin, Lysen, McKibbin, Moon, Moreau, North, O'Brien, Paris, Patterson, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Curtis, Dunlap, Eikenberry, Erickson, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hurley G. S., Hurley M., Juelling, Knowles, Kuehnle, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Parker, Peterson, Polk, Sherman, Valle, Warnke, Whiteside, Wojahn.

Not voting: Representatives Deccio, Maxie, Perry, Zimmerman.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the amendment by Representative Wojahn and others.

Representatives Haussler and Charnley spoke against the amendment.

## ROLL CALL

The Clerk called the roll on the reconsideration of the amendment by Representative Wojahn and others to Substitute Senate Bill No. 2713, and the amendment was not adopted by the following vote: Yeas, 47; nays, 47; not voting, 4.

Voting yea: Representatives Bagnariol, Barnes, Bausch, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Curtis, Dunlap, Eikenberry, Erickson, Freeman, Gaines, Gilleland, Greengo, Haley, Hansen, Hansey, Hurley G. S., Hurley M., Juelling, Knowles, Kuehnle, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Parker, Peterson, Polk, Sherman, Valle, Warnke, Whiteside, Wojahn.

Voting nay: Representatives Adams, Amen, Bauer, Becker, Berentson, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Eng, Fischer, Flanagan, Fortson, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Laughlin, Lysen, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Paris, Patterson, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Deccio, Perry, Randall, Zimmerman.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn, Boldt, Blair and Lee:

On page 1, section 1, beginning on line 12 after "work." strike the material down to and including "1975" on line 17

Mrs. Wojahn spoke in favor of the amendment, and Representatives Haussler and Douthwaite spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Wojahn and others to Substitute Senate Bill No. 2713, and the amendment was not adopted by the following vote: Yeas, 42; nays, 50; not voting, 6.

Voting yea: Representatives Adams, Becker, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Curtis, Dunlap, Ehlers, Eikenberry, Erickson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hansey, Hurley G. S., Hurley M., Juelling, Kuehnle, Leckenby, Lee, Martinis, Matthews, Nelson, Newhouse, Pardini, Parker, Peterson, Polk, Sherman, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Boldt, Bond, Chandler, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Eng, Fischer, Flanagan, Fortson, Gallagher, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Patterson, Randall, Savage, Schumaker, Seeberger, Smith E. P., Smith R., Sommers, Tilly.

Not voting: Representatives Deccio, Perry, Shinpoch, Thompson, Zimmerman, and Mr. Speaker.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, section 1, lines 9 and 13 before "thousand" strike "fifty" and insert "forty"

#### POINT OF ORDER

Mr. Moon: "It is my understanding that when you are dealing with perfecting a bill that deals with dollar amounts, that you start with the higher amount and go down, and once a level is established you can no longer go any higher than that amount, but you can go lower."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Reed's Rule 154 does set forth amendments and the filling of blanks. It pertains generally in appropriation areas where a larger amount would have to be considered if there were several amendments on the desk. In this case we are talking about the contract limitations and it's true that Representative Kuehnle probably should have had his amendment before us earlier and we should have acted on the \$40,000 before we acted on the \$35,000, but the rule doesn't seem to be particularly clear relative to offering of these amendments, so the Speaker is going to rule that the amendment is in order."

Mr. Moon: "It would seem to me that our own House Rules would supersede Reed's Rules unless there was a question in our House Rules. I would refer to House Rule 59 that says, 'All questions, whether in committee on in the House, shall be propounded in the order in which they are named, except that in filling in blanks the largest sum and the longest time shall be put first.' In this instance he is attempting to put in a larger sum after we have already considered one sum."

The Speaker (Mr. O'Brien presiding): "It would appear again, Representative Moon, that we are talking about filling in blanks and generally it is relative to appropriation items, and that in this case the amendment wasn't before us. I am going to rule that the rule isn't apropos in this instance."

Mr. Kuehnle spoke in favor of the amendment, and Mr. Haussler spoke against it.

Mr. Kuehnle closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle to Substitute Senate Bill No. 2713, and the amendment was not adopted by the following vote: Yeas, 44; nays, 50; not voting, 4.

Voting yea: Representatives Barnes, Bausch, Bender, Blair, Bond, Brown, Ceccarelli, Chandler, Charnley, Clemente, Curtis, Dunlap, Ehlers, Eikenberry, Erickson, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hurley G. S., Hurley M., Juelling, Knowles, Kuehnle, Leckenby, Lee, Luders, Martinis, Matthews, May, McCormick, Nelson, Newhouse, Pardini, Parker, Peterson, Polk, Sherman, Valle, Warnke, Whiteside, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Becker, Berentson, Boldt, Charette, Chatalas, Cochrane, Conner, Douthwaite, Eng, Fischer, Flanagan, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Laughlin, Lysen, Maxie, McKibbin, Moon, Moreau, North, O'Brien, Paris, Patterson, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Williams, Wilson.

Not voting: Representatives Deccio, Perry, Zimmerman, and Mr. Speaker.

Mr. Gallagher moved adoption of the following amendment by Representatives Gallagher, McKibbin and Deccio:

On page 1, line 25 add a new subsection as follows:

"(3) The cost of any project for the purpose of this act shall be the aggregate of all amounts to be paid for labor, material and equipment on one continuous or interrelated project where work is to be performed simultaneously or in close sequence. Any two projects performed within a five mile radius in any two consecutive years shall be considered staging and prohibited, unless such projects are totally unrelated."

Mr. Gallagher spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Gallagher yielded to question by Mr. Flanagan.

Mr. Flanagan: "I find the language of this amendment vague, ambiguous and difficult to understand. It says here, 'The cost of any project for the purpose of this act shall be the aggregate of all amounts to be paid for labor, material and equipment on one continuous or interrelated project. . . .' I want to give you an example—suppose I am a county commissioner and we decide to set up a summer program of road construction or road paving of 12 miles of road, and we want, in order to be fair to everybody, to put four miles in one part of the county and four miles in another part of the county, and four miles in another part. Would this be considered one continuous related project and the cost of it considered one cost, or how would this be considered?"

Mr. Gallagher: "No, these would be several separate jobs. What we are referring to here is building a road, skipping a short area of it and starting another. . . ."

Mr. Flanagan: "No, I'm talking about different areas in the county."

Mr. Gallagher: "No, this would have no relation to that at all. That would be three projects."

Representatives Flanagan and Haussler spoke in opposition to the amendment.

#### POINT OF INQUIRY

Mr. Gallagher yielded to question by Mr. McKibbin.

Mr. McKibbin: "Is it the intent of this amendment to preclude any county from completing two or more projects on a single road or several roads within a five-mile radius that are totally unrelated?"

Mr. Gallagher: "No, this doesn't prohibit that at all."

Mr. McKibbin: "Is it the intent of this amendment that the words 'totally unrelated' mean two or more projects that are shown to be unrelated as provided in the county's six-year plan?"

Mr. Gallagher: "Yes."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Gallagher, McKibbin and Deccio to Substitute Senate Bill No. 2713, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bender, Berentson, Blair, Brown, Ceccarelli, Charnley, Cochrane, Dunlap, Ehlers, Eikenberry, Erickson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Hansey, Hurley G. S., Hurley M., Jueling, Knowles, Kuehne, Leckenby, Lee, Martinis, Matthews, May, McCormick, McKibbin, Nelson, Newhouse, Pardini, Paris, Parker, Peterson, Polk, Sherman, Warnke, Whiteside, Williams, Wojahn.

Voting nay: Representatives Amen, Barnes, Bauer, Bausch, Becker, Boldt, Bond, Chandler, Charette, Chatalas, Clemente, Conner, Curtis, Douthwaite, Eng, Fischer, Flanagan, Fortson, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kalich, Kilbury, King, Laughlin, Luders, Lysen, Maxie, Moon, Moreau, North, O'Brien, Patterson, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Wilson, and Mr. Speaker.

Not voting: Representatives Deccio, Perry, Zimmerman.

Mr. Gaspard moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2713 be placed on final passage.

The Speaker assumed the Chair.



## ROLL CALL

The Clerk called the roll on the motion to advance Substitute Senate Bill No. 2713 to third reading and final passage, and the motion was carried by the following vote: Yeas, 71; nays, 22; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Berentson, Boldt, Bond, Chandler, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Dunlap, Eikenberry, Gilleland, Greengo, Hurley G. S., Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Parker, Polk, Whiteside, Wojahn.

Not voting: Representatives Deccio, Freeman, Maxie, Perry, Zimmerman.

The Speaker stated the question before the House to be final passage of Substitute Senate Bill No. 2713.

Mr. Haussler spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I notice that subsection (2), page 1, line 21 refers to 'traffic control devices.' What kind of devices are included in the meaning of this terminology?"

Mr. Haussler: "This subsection originated in Senate Bill No. 2195 sponsored by the electrical contractors and it's intent therefore would be limited to electrical equipment. Specifically, this would include such items as traffic signals and signal controllers."

Mr. Douthwaite: "Does this subsection then apply to the entire cost of a signal installation?"

Mr. Haussler: "Generally the counties purchase poles, signal heads, controllers, luminaries, cable and wire through their purchasing department on a low bid basis. This gives them a chance to check out the equipment, especially controllers, before it is installed. This subsection would require them to contract for the installation of the equipment if the estimated cost to install by day exceeded \$10,000."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2713, and the bill passed the House by the following vote: Yeas, 68; nays, 27; not voting, 3.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Berentson, Boldt, Bond, Ceccarelli, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Adams, Bender, Blair, Brown, Chandler, Charette, Charnley, Cochrane, Dunlap, Eikenberry, Freeman, Gilleland, Greengo, Haley, Hurley G. S., Juelling, Leckenby, Lee, Martinis, Matthews, Nelson, Newhouse, Polk, Sherman, Whiteside, Williams, Wojahn.

Not voting: Representatives Deccio, Perry, Zimmerman.

Substitute Senate Bill No. 2713, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. Newhouse moved that the Rules Committee be relieved of Senate Concurrent Resolution No. 114, and that the resolution be placed on the second reading calendar.

## MOTIONS

On motion of Mr. Charette, the motion by Mr. Newhouse was laid on the table.

Mr. Charette moved that House Bill No. 200 be placed on the second reading calendar for immediate consideration.

Mr. Pardini moved that the House adjourn until 9:30 a.m., Wednesday, May 21, 1975.

The motion by Mr. Pardini was lost.

The motion by Mr. Charette was carried.

Mr. Zimmerman appeared at the bar of the House.

HOUSE BILL NO. 200, by Representatives Thompson, Fortson, Wojahn and Laughlin (by State Teachers' Retirement System request):

Implementing state teachers' retirement system laws, including expanding benefits for present retirement recipients.

The bill was read the second time.

On motion of Mr. Shipoch, Substitute House Bill No. 200 was substituted for House Bill No. 200, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 200 was read the second time.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Substitute House Bill No. 200 be placed on final passage.

Mr. Pardini spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to advance Substitute House Bill No. 200 to third reading and final passage, and the motion was lost by the following vote: Yeas, 62; nays, 35; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative Deccio.

The Speaker stated that the House, by its action, had failed to advance the bill to third reading, and passed the bill to Committee on Rules for third reading.

#### MOTION

Mr. Charette moved that ENGROSSED SENATE BILL NO. 2007 be made a special order of business at 4:00 p.m.

Mr. Smith (Rick) moved that Engrossed Senate Bill No. 2007 be rereferred to Committee on Rules.

#### SPEAKER'S RULING

The Speaker: "The Speaker feels that the motions are of the same rank. To postpone to a day certain we have always interpreted to mean to a time certain and to commit or recommit is of the same rank. The motion by Representative Charette would come first."

The motion by Mr. Charette was carried.

SENATE BILL NO. 2741, by Senators Clarke, Jolly and Jones:

Establishing conversion procedures for savings and loan associations and mutual savings banks.

The bill was read the second time.

Mr. Gaspard moved that the rules be suspended, the second reading considered the third, and Senate Bill No. 2741 be placed on final passage.

Mr. Pardini spoke against the motion.

## ROLL CALL

The Clerk called the roll on the motion to advance Senate Bill No. 2741 to final passage, and the motion was lost by the following vote: Yeas, 60; nays, 34; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehne, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Chatalas, Conner, Deccio, Perry.

Senate Bill No. 2741 was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2453, by Senators Murray, Fleming, North and Bailey:

Granting criminal justice training commission power to lease facilities.

The bill was read the second time.

Mr. Gaspard moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2453 be placed on final passage.

Mr. Pardini spoke against the motion.

## ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 2453 to third reading and final passage, and the motion was lost by the following vote: Yeas, 62; nays, 35; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehne, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative Deccio.

Engrossed Senate Bill No. 2453 was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2169, by Senators Bottiger, Sellar and Talley:

Providing for the adoption and implementation of standards for integrating school library and media services.

## MOTION

Mr. Shinpoch moved that Engrossed Senate Bill No. 2169 be rereferred to Committee on Ways and Means - Appropriations.

Representatives Shinpoch, Curtis, Polk and Bagnariol spoke in favor of the motion, and Representatives Bauer, Thompson and Ehlers spoke against it.

## POINT OF ORDER

Mrs. Hurley (Margaret): "The time appointed for the consideration of a bill is now here."

The Speaker: "Your point of order is well taken, Representative Hurley. The House has set a special order of business at 4:00 p.m. for Engrossed Substitute Senate Bill No. 2007; therefore the present motion to rerefer Senate Bill No. 2169 to Committee on Ways and Means - Appropriations will be pending when we take the bill up again."

## SPECIAL ORDER OF BUSINESS

ENGROSSED SUBSTITUTE SENATE BILL NO. 2007, by Committee on Judiciary (Originally sponsored by Senators Henry, Beck, Stortini, Cunningham, Benitz and Guess):

Establishing the death penalty for aggravated murder in the first degree.

The bill was read the second time.

## POINT OF ORDER

Mr. Bauer: "I want to get a qualification of what you have interpreted as 'when the bill comes up again.' Is that immediately following the disposition of this bill?"

The Speaker: "Unless the House agrees to the contrary, that's the next bill that we are proceeding with."

## MOTION

Mr. Smith (Rick) moved that Engrossed Substitute Senate Bill No. 2007 be rereferred to Committee on Rules.

Mr. Smith (Rick) spoke in favor of the motion.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Charette: "How many amendments to this bill are on the desk?"

The Speaker: "At the present time, 27, but they are coming rapidly."

Mr. Eikenberry spoke against the motion to rerefer the bill to Committee on Rules.

## POINT OF ORDER

Mr. Seeberger: "Mr. Eikenberry is impugning the motives of a member of this House."

The Speaker: "Representative Eikenberry, I would appreciate it if you could talk on the merits of the motion rather than anyone's motives."

Mr. Eikenberry continued his remarks against the motion.

## POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Seeberger.

Mr. Seeberger: "You indicated that over half of the states now have written capital punishment laws. Can you tell us how many people have been executed under those laws?"

Mr. Eikenberry: "My understanding is that none have been."

Mr. Seeberger spoke in favor of the motion.

Mr. Polk demanded a Call of the House and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Chatalas, Deccio, Hansen and May.

## MOTION

Mr. Thompson moved that the absent members be excused and that the House proceed with business under the Call of the House.

## ROLL CALL

The Clerk called the roll on the motion to excuse the absent members and proceed with business under the Call of the House, and the motion was carried by the following vote: Yeas, 71; nays, 23; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greeno, Hanna, Hansey, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Paris, Perry, Peterson, Polk, Randall, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Dunlap, Eng, Fischer, Fortson, Haley, Hayner, Hendricks, Hurley M., Juelling, Kuehnle, Lee, Matthews, Nelson, North, Parker, Patterson, Savage, Schumaker, Seeberger, Smith E. P., Whiteside, Wilson.

Not voting: Representatives Chatalas, Deccio, Hansen, May.

The Speaker stated the question before the House to be the motion by Representative Smith (Rick) to rerefer Engrossed Substitute Senate Bill No. 2007 to Committee on Rules.

Mr. Tilly spoke against the motion.

#### POINT OF ORDER

Mr. Seeberger: "Mr. Tilly is not speaking to the question before the House."

The Speaker: "Representative Seeberger, I think that Representative Tilly's remarks might be a little borderline, but you asked the question about how many people had been executed and I think that might open up the whole subject matter."

Mr. Tilly continued his remarks against the motion.

Mr. Charette spoke in favor of the motion.

#### SPEAKER'S ADMONITION

The Speaker: "Representative Charette, I think you are going a little afar of the issue at the present time. We have given a lot of latitude here, but I would appreciate it if you would stick to the subject."

Mr. May appeared at the bar of the House.

Mr. Charette continued his remarks in favor of the motion, and Mr. Newhouse spoke against it.

Mr. Douthwaite spoke in favor of the motion, and Mr. Smith (Rick) closed debate, again speaking in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Substitute Senate Bill No. 2007 to Committee on Rules, and the motion was carried by the following vote: Yeas, 58; nays, 37; not voting, 3.

Voting yea: Representatives Adams, Amen, Bausch, Becker, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Gaines, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, King, Laughlin, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bauer, Bender, Berentson, Bond, Curtis, Dunlap, Eikenberry, Fortson, Freeman, Gilleland, Greengo, Haley, Lansen, Hayner, Hendricks, Hurley M., Juelling, Kilbury, Knowles, Kuehnle, Leckenby, Lee, Luders, Lysen, Matthews, May, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Chatalas, Deccio, Hansen.

#### ENGROSSED SENATE BILL NO. 2169:

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the motion by Representative Shipoch to rerefer the bill to Committee on Ways and Means - Appropriations.

Representatives Ehlers, Zimmerman and Hendricks spoke in opposition to the motion, and Mr. Shipoch closed debate, speaking in favor of the motion.

#### POINT OF INFORMATION

Mr. Bauer: "I believe that the previous speaker suggested that there is an appropriation and Rule 82 requires bills with direct appropriations to go immediately to Ways and Means. There is no direct appropriation in this bill."

The Speaker: "Since there is no appropriation, I think that's the reason that it was not automatically referred, and it will take an action on the floor of this House. That's the reason the motion was put."

## ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Senate Bill No. 2169 to Committee on Ways and Means – Appropriations, and the motion was lost by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Bausch, Berentson, Blair, Bond, Ceccarelli, Chatalas, Conner, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haussler, Hayner, Hurley M., Jastad, Juelling, Knowles, Kuehnle, May, Newhouse, North, O'Brien, Parker, Patterson, Polk, Randall, Schumaker, Shinpoch, Smith R., Sommers, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Brown, Chandler, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Haley, Hanna, Hansey, Hawkins, Hurley G. S., Kalich, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Nelson, Pardini, Paris, Perry, Peterson, Savage, Seeberger, Sherman, Smith E. P., Thompson, Tilly, Valle, Whiteside, Williams, Wojahn, Zimmerman.

Not voting: Representatives Deccio, Hansen.

## MOTION

On motion of Mr. Charette, Representative Fortson was excused from the Call of the House.

Engrossed Senate Bill No. 2169 was read the second time.

On motion of Mr. Bauer, the following amendment by Representatives Bauer and Thompson was adopted:

On line 25 after the period strike the language through the period on line 28 and insert the following: "The superintendent of public instruction shall report the results of the survey to the 1977 legislature."

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2169 as amended by the House be placed on final passage.

Mr. Pardini spoke against the motion.

## ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 2169 as amended by the House to third reading and final passage, and the motion was lost by the following vote: Yeas, 61; nays, 33; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gaines, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Not voting: Representatives Chatalas, Deccio, Fortson, Hansen.

Engrossed Senate Bill No. 2169 as amended by the House was passed to Committee on Rules for third reading.

Representative Hansen appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 2210, by Senators Stortini, Murray and Ridder (by Superintendent of Public Instruction request:

Authorizing fees for optional noncredit extra-curricular events of school districts and providing for their disposition.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-fifth Day ex. sess., May 7, 1975.)

The Clerk read the committee amendment to the body of the bill.

## POINT OF ORDER

Mr. Berentson: "I would like a ruling on scope and object of section 4, subsection (12) of the committee amendment, which is contained in the complete amendment to the bill."

Mr. Bauer: "I don't believe the inquiry was addressed to the amendment. The amendment has not been put. It is a single committee amendment by section and I would believe it would be out of order to take apart a committee amendment by section."

#### SPEAKER'S RULING

The Speaker: "Representative Berentson, in regard to your point of order, the Speaker finds that the amendment is germane to the bill in question and therefore, I would rule it within the scope and object."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Berentson: "It would be in order then to offer an amendment to strike that section?"

The Speaker: "The amendment is before us and is subject to amendment to the amendment."

Mr. Bauer moved adoption of the committee amendment.

Mr. Ehlers moved adoption of the following amendment to the committee amendment:

On page 1 of the committee amendment, section 1, at the end of the first proviso, strike the semicolon after "fees" and insert a period and beginning with "PROVIDED FURTHER" strike all material within that proviso down to and including "meal program."

Representatives Ehlers and Berentson spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Barnes.

Mr. Barnes: "I'm quite concerned. My district needs this bill very much. At least it needs the provision that authorizes them to charge for athletic events. I'm concerned that if we amend the bill, with the pressure to go home, etc., that there is a possibility of nonconcurrence and we might lose the bill. I would like you to explain to me what would happen if we vote your amendment down. What would we have left then? Would there be a possibility of concurrence by the Senate?"

Mr. Ehlers: "I think perhaps Representative Bauer could speak to the whole question, but essentially the bill was defective in a number of different ways. The Attorney General would come back—"

#### POINT OF ORDER

Mr. Berentson: "I don't think Mr. Ehlers is really answering the question asked by Mr. Barnes and I would suggest that the question that was asked would be answered by the answer that if the committee amendment were turned down, we would have the original Senate bill before us. In that case, it would do what Representative Barnes would like it to do and that's to present the original Senate Bill No. 2210 without House Bill No. 23 tagged on the end."

#### SPEAKER'S RULING

The Speaker: "Representative Berentson, the question was asked what would be the effect of this committee amendment on the original bill, because the member was concerned about the provisions of the original bill as it affected his area. I think it pretty well opens up the scope of the difference between the bill as amended by the committee and the original bill. It's a pretty broad question and I don't see how it could be limited."

#### POINT OF ORDER

Mr. Charnley: "We are now on an amendment by Representative Ehlers to the committee amendment. The question that Representative Barnes is asking is on the total amendment. I would suggest that Representative Barnes wait until we solve what we are going to do with this amendment to the amendment first and then return to the question he is raising."

The Speaker: "I think your point is well taken."

The amendment by Representative Ehlers to the committee amendment was adopted.

Mr. Berentson moved adoption of the following amendment to the committee amendment:

On page 3, strike all of section 4 and renumber the remaining sections consecutively.

Representatives Berentson, Newhouse and Hayner spoke in favor of the amendment to the amendment, and Representatives Bauer, Ehlers and Brown spoke against it.

Mr. Berentson spoke again in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Berentson to the committee amendment to Engrossed Senate Bill No. 2210, and the amendment was not adopted by the following vote: Yeas, 46; nays, 49; not voting, 3.

Voting yea: Representatives Amen, Bagnariol, Barnes, Berentson, Blair, Bond, Chandler, Curtis, Dunlap, Eikenberry, Erickson, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kuehnle, Leckenby, Lee, Matthews, May, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Schumaker, Shinpoch, Smith E. P., Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Fischer, Gaines, Gaspard, Haley, Hanna, Hansen, Hawkins, Hurley G. S., Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Perry, Randall, Savage, Seeberger, Sherman, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Chatalas, Deccio, Fortson.

The committee amendment as amended was adopted.

#### MOTIONS

On motion of Mr. Thompson, Representatives Greengo and Blair were excused from the Call of the House.

On motion of Mr. Bauer, the committee amendment to the title was adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2210 as amended by the House be placed on final passage.

Mr. Pardini spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 2210 as amended by the House to third reading and final passage, and the motion was lost by the following vote: Yeas, 58; nays, 35; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Haley, Hansey, Hayner, Hendricks, Juelling, Kalich, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, North, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Blair, Chatalas, Deccio, Fortson, Greengo.

Engrossed Senate Bill No. 2210 as amended by the House was passed to Committee on Rules for third reading.

#### STATEMENT FOR THE JOURNAL

Regarding my absence on Tuesday, May 20, 1975, until midafternoon, I was attending the funeral of O.F. Johnson, longtime civic leader in Camas, and has been asked to present a tribute at his Memorial Service. The service was in Camas Tuesday morning.

HAL ZIMMERMAN, 17th District.

#### MOTIONS

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Wednesday, May 21, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## SIXTY-NINTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Wednesday, May 21, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representative Kilbury, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cynthia Greenbaum and Jim Thompson. Prayer was offered by the Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

May 20, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2280,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2937,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2071, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to REENGROSSED SENATE BILL NO. 2385, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2692, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2278, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2253, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2466, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2608, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2271, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 468,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 20, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 219,  
 SUBSTITUTE HOUSE BILL NO. 409,  
 HOUSE BILL NO. 1050,  
 HOUSE BILL NO. 1075,  
 SUBSTITUTE HOUSE BILL NO. 1091,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2117,  
 SENATE BILL NO. 2328,  
 SENATE BILL NO. 2393,  
 SUBSTITUTE SENATE BILL NO. 2517,  
 SUBSTITUTE SENATE BILL NO. 2616,  
 SENATE BILL NO. 2636,  
 SUBSTITUTE SENATE BILL NO. 2855,  
 SENATE BILL NO. 2960,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## MESSAGE FROM THE GOVERNOR

May 20, 1975

TO THE HONORABLE,  
 THE HOUSE OF REPRESENTATIVES  
 OF THE STATE OF WASHINGTON  
 LADIES AND GENTLEMEN:

On this date I have approved SUBSTITUTE SENATE BILL NO. 2715 entitled:  
 "AN ACT Relating to school district budgets."

This bill allows first class school districts to delay preparation of preliminary budgets from June 1 to June 15 in the event the Legislature has not appropriated funds for the support of common schools by May 10. The bill is urgently needed inasmuch as school districts have been unable to prepare preliminary budgets because of the uncertainty created by school levy failures and pending legislation addressing the common school funding question.

The bill does not, however, cover second and third class districts which may also be encountering budgeting difficulties for the reasons stated. I am advised that there is now pending in the Senate Rules Committee House Bill 752 which would extend the preliminary budget preparation deadline to such districts. I strongly urge enactment of that bill without further delay.

Respectfully submitted,  
 DANIEL J. EVANS,  
 Governor.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2280, by Committee on Transportation and Utilities (Originally sponsored by Senators Walgren, Bailey, North, Beck, Talley, Fleming, Sellar, Lewis (R. H. "Bob"), Ridder, Jolly, Goltz, Morrison, Gould, Day, Henry, Stortini, Wanamaker and Washington):

Pertaining to financing municipal transportation systems.

To Committee on Transportation and Utilities

ENGROSSED SUBSTITUTE SENATE BILL NO. 2937, by Committee on Transportation and Utilities (Originally sponsored by Senator Walgren):

Relating to transportation taxation.

To Committee on Transportation and Utilities

## REPORTS OF STANDING COMMITTEES

May 19, 1975

ENGROSSED SENATE BILL NO. 2065, Prime Sponsor: Senator Walgren, revising the definition of habitual traffic offender. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 16 of the engrossed bill, being line 17 of the printed bill, after "vehicles:" strike all material down to and including "chapter-))" on line 19 of the engrossed bill, being line 20 of the printed bill, and insert "PROVIDED, That where more than one described offense shall be committed within a six-hour period such multiple offenses shall, on the first such occasion, be treated as one offense for the purposes of this chapter:"

On page 2, line 12 of the engrossed bill, being line 13 of the printed bill, after "except" insert "parking violations and"

On page 3, line 11 of the engrossed bill, being line 22 of the printed bill, after "chapter" insert ", except RCW 46.65.090 as now or hereafter amended,"

On page 3, line 13 of the engrossed bill, being line 24 of the printed bill, after "any" strike "(criminal)) civil case." and insert "criminal case. Appeals from convictions under RCW 46.65.090 as now or hereafter amended shall be as in other criminal cases."

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

May 19, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2244, Original Prime Sponsor: Senator Knoblauch, regulating hitchhiking. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 26 after "or" strike ";

On page 2, line 14 after "unlawful" strike all material down to and including "(b)" on line 16

On page 2, beginning on line 30 strike all of section 2

On page 1, line 3 of the title after "46.61.255;" insert "and" and after "penalties" strike the semicolon and insert a period.

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Hayner, Newhouse, Patterson, Sherman.

To Committee on Rules for second reading.

May 19, 1975

ENGROSSED SENATE BILL NO. 2341, Prime Sponsor: Senator Bottiger, making certain changes in the laws relating to public service companies. Reported by Committee on Transportation and Utilities.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 1, line 22 after "dollar" and before the period insert ": AND PROVIDED FURTHER, That the utilities and transportation commission and the department of labor and industries shall jointly enter into an interagency agreement or agreements pursuant to chapter 39.34 RCW to divide the responsibility for regulation of railroad safety and health matters with the department assuming jurisdiction of employee

occupational safety and health pursuant to chapter 49.17 RCW and the commission retaining responsibility for general rail safety affecting the public in accordance with Title 81 RCW"

Signed by Representatives Perry, Chairman; Bender, Ceccarelli, Chandler, Charnley, Clemente, Conner, Douthwaite, Gaines, Gallagher, Gilleland, Hansen, Kalich, Laughlin, Lee, Lysen, Martinis, McCormick, Seeberger, Sherman.

To Committee on Rules for second reading.

May 19, 1975

ENGROSSED SENATE BILL NO. 2613, Prime Sponsor: Senator Marsh, authorizing pre-trial diversion programs approved by the court. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 4 after "arraignment" insert "in a court of limited jurisdiction"

On page 1, line 9 after ", or" strike "emotional and/or"

On page 1, beginning on line 22 after "a mental" strike "or emotional"

On page 1, line 24 after "Sec. 4." strike all material down to and including "center" on line 25 and insert "The facility or center to which such person is referred"

On page 2, line 26 after "showing the" strike "change," and insert "charge and"

On page 2, line 27 after "prosecution" strike ", and the defendant's treatment plan"

On page 3, line 19 after "similar" insert "and committed subsequent"

On page 3, line 34 after "provide" strike all material down to and including "program" on line 35 and insert "investigation, examination, report and treatment plan"

Signed by Representatives Knowles, Chairman; Seeberger, Subcommittee Chairman; Eikenberry, Gaspard, Hanna, Maxie, Newhouse, Sherman.

To Committee on Rules for second reading.

May 19, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, Prime Sponsor: Senator Donohue, making certain corrections and adjustments in the tax laws. Reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 162, Laws of 1943 as last amended by section 79, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.010 are each amended to read as follows:

Tuberculosis is a communicable disease and tuberculosis control, case finding, prevention and follow up of known cases of tuberculosis represents the basic step in the conquest of this major health problem. In order to carry on such work effectively in accordance with the standards set by the secretary pursuant to RCW 70.33.020, the legislative authority of each county enumerated in RCW 70.33.040 shall budget and ((shall levy annually a tax in)) appropriate a sum ((equal to the amount which would be raised by a levy of six and one-quarter cents per thousand dollars of assessed value against the taxable property in any county enumerated in RCW 70.33.040;)) to be used for the control of tuberculosis, including case finding, prevention and follow up of known cases of tuberculosis((- PROVIDED, That upon certification of the secretary that any such county has an unexpended balance from such levy, over and above the amount required for adequate tuberculosis control, including case finding, prevention and follow up of known cases of tuberculosis within such county, the legislative authority may budget and reappropriate the same for such tuberculosis control for the ensuing year, or it may allocate from time to time such unexpended balance, or any portion thereof, to the county health department for use in furtherance of other communicable disease prevention or control, or as provided in RCW 70.32.090 as now or hereafter amended. The sum herein provided for, and any income that may accrue from miscellaneous receipts in connection with the tuberculosis control program of such county, shall be placed in the county treasury in a special fund to be known as the tuberculosis fund, and obligations incurred for the tuberculosis control program shall be paid from said fund by the county treasurer in the same manner as general county obligations are paid. The county auditor shall furnish to the legislative authority and the department a monthly report of receipts and disbursements in the tuberculosis fund, which report shall also show balances of cash on hand)).

Sec. 2. Section 18, chapter 277, Laws of 1971 as amended by section 81, chapter 195, Laws of 1973 1st ex. sess. and by section 4, chapter 213, Laws of 1973 1st ex. sess. and RCW 70.33.040 are each amended and reenacted to read as follows:

In order to maintain adequate tuberculosis hospital facilities and to provide for adequate hospitalization, nursing home and other appropriate facilities and services for the residents of the state of Washington who are or may be suffering from tuberculosis and to assure their proper care ((pursuant to this chapter)), the standards set by the secretary pursuant to RCW 70.33.020 and ((RCW 70.32.010;)) 70.32.050((;)) and 70.32.060 ((and 70.32.090)), the legislative authority of Clallam, Jefferson, Kitsap, Mason, Grays Harbor, Thurston, Pacific, Lewis, Wahkiakum, Cowlitz, Clark, Skamania, Klickitat, Pierce, King, Snohomish, Skagit, Whatcom, San Juan and Island counties shall ((levy annually a tax in the sum equal to the amount

which would be raised by a levy of six and one-quarter cents per thousand dollars of assessed value against the taxable property)) budget and appropriate annually a sum to provide such services in the county.

If such counties desire to receive state services, they may elect to utilize funds collected pursuant to this section for the purpose of contracting with the state upon agreement by the state for the cost of providing tuberculosis hospitalization and/or outpatient treatment including laboratory services, or such funds may be retained by the county for operating its own services for the prevention and treatment of tuberculosis or any other community health purposes authorized by law. None of such counties shall be required to make any payments to the state or any other agency from these funds except upon the express consent of the county legislative authority: PROVIDED, That if the counties do not comply with the promulgated standards of the department the secretary shall take action to provide such required services and to charge the affected county directly for the provision of these services by the state.

Sec. 3. Section 82.04.120, chapter 15, Laws of 1961 as amended by section 3, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.120 are each amended to read as follows:

"To manufacture" embraces all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different or useful substance or article of tangible personal property is produced for sale or commercial or industrial use, and shall include the production or fabrication of special made or custom made articles, and the generation or production of electrical energy for resale or consumption outside the state.

"To manufacture" shall not include activities which consist of cutting, grading, or ice glazing sea-food which has been cooked, frozen or canned outside this state.

Sec. 4. Section 82.04.260, chapter 15, Laws of 1961 as last amended by section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of one-quarter of one percent.

(4) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of one-eighth of one percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of three-tenths of one percent.

(6) Upon every person engaging within this state in the business of manufacturing aluminum pig, ingot, billet, plate, sheet (flat or coiled), rod, bar, wire, cable or extrusions; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of four-tenths of one percent.

(7) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of forty-four hundredths of one percent.

(8) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of thirty-three hundredths of one percent.

(9) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of twenty-five one-hundredths of one percent.

(10) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of twenty-five one-hundredths of one percent.

(11) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of twenty-five one-hundredths of one percent.

Sec. 5. Section 2, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.442 are each amended to read as follows:

For each of the calendar years 1974 through 1983, a percentage as set forth below, of any personal property taxes paid before delinquency after May 10, 1974 by any taxpayer upon business inventories during the same calendar year shall be allowed as a credit against the total of any taxes imposed on such taxpayer or its successor by chapter 82.04 RCW (business and occupation tax), as follows: PROVIDED, That

for those taxpayers paying one hundred percent of 1974 property taxes on business inventories on or before May 10, 1974, a credit of five percent of such amount shall be allowed in a subsequent year in addition to any other amount of credit otherwise available to the taxpayer under this section

Inventory taxes paid in 1974 .....	ten percent
Inventory taxes paid in 1975 .....	twenty percent
Inventory taxes paid in 1976 .....	thirty percent
Inventory taxes paid in 1977 .....	forty percent
Inventory taxes paid in 1978 .....	fifty percent
Inventory taxes paid in 1979 .....	sixty percent
Inventory taxes paid in 1980 .....	seventy percent
Inventory taxes paid in 1981 .....	eighty percent
Inventory taxes paid in 1982 .....	ninety percent
Inventory taxes paid in 1983 .....	one hundred percent.

Sec. 6. Section 4, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.443 are each amended to read as follows:

For the purposes of this chapter:

"Business inventories" means all livestock and means personal property acquired or produced solely for the purpose of sale, or for the purpose of consuming such property in producing for sale a new article of tangible personal property of which such property becomes an ingredient or component. Business inventories shall not mean personal property acquired or produced for the purpose of lease or rental. It shall include inventories of finished goods and work in process.

"Successor" shall have the meaning given to it in RCW 82.04.180.

Sec. 7. Section 82.04.460, chapter 15, Laws of 1961 and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services shall, for the purpose of computing tax liability under ~~((this chapter))~~ RCW 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.01(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state pursuant to rules promulgated by the department.

Sec. 8. Section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 185, Laws of 1974 ex. sess. and RCW 82.08.030 are each amended to read as follows:

The tax hereby levied shall not apply to the following sales:

(1) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16 or 82.28 RCW: PROVIDED, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12 RCW;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16 RCW, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter;

(3) The distribution and newsstand sale of newspapers;

(4) Sales which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(5) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and sales of motor vehicle fuel taxable under chapter 82.36 RCW: PROVIDED, That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12 RCW;

(6) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) of RCW 82.16.010;

(7) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

(8) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

(9) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(10) Sales of tangible personal property (other than the type referred to in subdivision (11) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: PROVIDED, That any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12 RCW;

(11) Sales of airplanes, locomotives, railroad cars, or watercraft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or watercraft, and of motor vehicles or trailers whether owned by or leased with or without drivers and used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving;

(12) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce whether such use is by the owner or whether such motor vehicles and trailers are leased to the user with or without drivers: PROVIDED, That the purchaser or user must be the holder of a carrier permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article of personal property belonging to such nonresident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use according to the Federal Boating Act of 1958, even though delivery be made within this state, but only when (a) the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the department of revenue and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use outside of this state, one copy to be filed with the department of revenue with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the department of revenue shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended;

(20) Sales of semen for use in the artificial insemination of livestock;

(21) Sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that he is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of one dollar. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

(22) Sales of form lumber to any person engaged in the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(23) Sales of, cost of, or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel and rock when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to sales of, cost of, or charges made for such labor and services, if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(24) Sales of wearing apparel to persons who themselves use such wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(25) Sales of pollen.

(26) Sales to one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

(27) The renting or leasing of motor vehicles and trailers to a nonresident of this state for use exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and for purposes of this exemption the term "nonresident" shall apply to a renter or lessee who has one or more places of business in this state as well as in one or more other states but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained and operated from the renter's or lessee's place of business in another state.

(28) Sales of prescription drugs. The term "prescription drugs" shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment ~~((in humans ordered by the written direction of a dentist, physician, or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order))~~ or intended to affect any function of the body of humans ordered by (a) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (b) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (c) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (d) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

~~(29) ((Sales of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers))~~ Sales of insulin, prosthetic devices, and medically prescribed oxygen.

Sec. 9. Section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.050 are each amended to read as follows:

The tax hereby imposed shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale in accordance with the schedule of collections adopted by the department pursuant to the provisions of RCW 82.08.060. The tax required by this chapter, to be collected by the seller, shall be deemed to be held in trust by the seller until paid to the department, and any seller who appropriates or converts the tax collected to his own use or to any use other than the payment of the tax to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter shall be guilty of a gross misdemeanor. If the seller is a corporation, any officer or employee thereof who has the authority or responsibility for reporting and



paying to the department taxes collected pursuant to this chapter shall be personally liable, jointly with any other such officer or employee and severally, for any willful failure to so report and pay, and all of the provisions of chapter 82.32 RCW for collection of the tax may be enforced against any such officer or employee as against the corporation which they represent. The personal liability of such officer as provided herein shall survive the dissolution of the corporation.

In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay it to the department in the manner prescribed by this chapter, whether such failure is the result of his own acts or the result of acts or conditions beyond his control, he shall, nevertheless, be personally liable to the state for the amount of the tax.

The amount of tax, until paid by the buyer to the seller or to the department, shall constitute a debt from the buyer to the seller and any seller who fails or refuses to collect the tax as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor. The tax required by this chapter to be collected by the seller shall be stated separately from the selling price, and if not so separately stated, for purposes of determining the tax due from the buyer to the seller and from the seller to the department, ~~(it shall be conclusively presumed that)~~ the selling price quoted in any price list, sales document, contract or other agreement between the parties does not include the tax imposed by this chapter.

Where a buyer has failed to pay to the seller the tax imposed by this chapter and the seller has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the buyer for collection of the tax, in which case a penalty of ten percent may be added to the amount of the tax for failure of the buyer to pay the same to the seller, regardless of when the tax may be collected by the department; and all of the provisions of chapter 82.32 RCW, including those relative to interest and penalties, shall apply in addition; and, for the sole purpose of applying the various provisions of chapter 82.32 RCW, the fifteenth day of the month following the tax period in which the purchase was made shall be considered as the due date of the tax.

Sec. 10. Section 82.12.030, chapter 15, Laws of 1961 as last amended by section 2, chapter 185, Laws of 1974 ex. sess. and RCW 82.12.030 are each amended to read as follows:

The provisions of this chapter shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the state by a non-resident thereof for his use or enjoyment while temporarily within the state unless such property is used in conducting a nontransitory business activity within the state; or in respect to the use by a nonresident of this state of a motor vehicle which is registered or licensed under the laws of the state of his residence and is not used in this state more than three months, and which is not required to be registered or licensed under the laws of this state; or in respect to the use of household goods, personal effects and private automobiles by a bona fide resident of this state, if such articles were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than thirty days prior to the time he entered this state;

(2) In respect to the use of any article of tangible personal property purchased at retail or acquired by lease, gift or bailment if the sale thereof to, or the use thereof by, the present user or his bailor or donor has already been subjected to the tax under chapter 82.08 or 82.12 RCW and such tax has been paid by the present user or by his bailor or donor; or in respect to the use of property acquired by bailment and such tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 or 82.12 RCW as of the time of first use; or in respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and such original bailment was prior to June 9, 1961;

(3) In respect to the use of any article of tangible personal property the sale of which is specifically taxable under chapter 82.16 RCW;

(4) In respect to the use of any airplane, locomotive, railroad car, or watercraft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and in respect to use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or watercraft, and in respect to the use by a nonresident of this state of any motor vehicle or trailer used exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and in respect to the use by a nonresident of this state of any motor vehicle or trailer so registered and licensed and used within this state for a period not exceeding fifteen consecutive days under such rules as the department of revenue shall adopt: PROVIDED, That under circumstances determined to be justifiable by the department of revenue a second fifteen day period may be authorized consecutive with the first fifteen day period; and for the purposes of this exemption the term "nonresident" as used herein, shall include a user who has one or more places of business in this state as well as in one or more other states, but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained, and operated from the user's place of business in another state; and in respect to the use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer whether owned by or leased with or without driver to the permit holder and used in substantial part in the normal and ordinary course of the user's business for transporting therein persons or property for hire across the boundaries of this state if the first use of which within this state is

actual use in conducting interstate or foreign commerce; and in respect to the use of any motor vehicle or trailer while being operated under the authority of a one-transit permit issued by the director of motor vehicles pursuant to RCW 46.16.100 and moving upon the highways from the point of delivery in this state to a point outside this state; and in respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state whether such motor vehicle or trailer is owned by or leased with or without driver to the permit holder;

(5) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the Constitution of the state or under the Constitution or laws of the United States;

(6) In respect to the use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and motor vehicle fuel taxable under chapter 82.36 RCW: PROVIDED, That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the director of motor vehicles shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the department of revenue;

(7) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, by the state or a political subdivision thereof in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of RCW 82.16.010;

(8) In respect to the use of tangible personal property (including household goods) which have been used in conducting a farm activity, if such property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise;

(9) In respect to the use of tangible personal property by corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, flood, and other national calamities and to devise and carry on measures for preventing the same;

(10) In respect to the use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(11) In respect to the use of poultry in the production for sale of poultry or poultry products;

(12) In respect to the use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same;

(13) In respect to the use of motor vehicles, equipped with dual controls, which are loaned to and used exclusively by a school in connection with its driver training program: PROVIDED, That this exemption and the term "school" shall apply only to (a) the University of Washington, Washington State University, the state colleges and the state community colleges or (b) any public, private or parochial school accredited by either the state board of education or by the University of Washington (the state accrediting station) or (c) any public vocational school meeting the standards, courses and requirements established and prescribed or approved in accordance with the Community College Act of 1967 (chapter 8, Laws of 1967 first extraordinary session);

(14) In respect to the use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to the taxes imposed by chapter 82.08 RCW or chapter 82.12 RCW;

(15) In respect to the use by residents of this state of motor vehicles and trailers acquired and used while such persons are members of the armed services and are stationed outside this state pursuant to military orders, but this exemption shall not apply to members of the armed services called to active duty for training purposes for periods of less than six months and shall not apply to the use of motor vehicles or trailers acquired less than thirty days prior to the discharge or release from active duty of any person from the armed services;

(16) In respect to the use of semen in the artificial insemination of livestock;

(17) In respect to the use of form lumber by any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof;

(18) In respect to the use of any sand, gravel, or rock to the extent of the cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling such sand, gravel, or rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to the use of such material to the extent of the cost of or charge made for such labor and services, if the material is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(19) In respect to the use of wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(20) In respect to the use of tangible personal property held for sale and displayed in single trade shows for a period not in excess of thirty days, the primary purpose of which is to promote the sale of products or services.

(21) In respect to the use of pollen.

(22) In respect to the use of the personal property of one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

(23) In respect to the use of prescription drugs. The term "prescription drugs" shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment (~~in humans ordered by the written direction of a dentist, physician, or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order~~) or intended to affect any function of the body of humans ordered by (a) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (b) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (c) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (d) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

(24) (~~In respect to the use of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers~~) In respect to the use of insulin, prosthetic devices, and medically prescribed oxygen.

Sec. 11. Section 82.12.040, chapter 15, Laws of 1961 as last amended by section 11, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.040 are each amended to read as follows:

Every person who maintains in this state a place of business or a stock of goods shall obtain from the department a certificate of registration, and shall, at the time of making sales, or making transfers of either possession or title or both, of tangible personal property for use in this state, collect from the purchasers or transferees the tax imposed under this chapter. For the purposes of this chapter, the phrase "maintains in this state a place of business" shall include the solicitation of sales and/or taking of orders by sales agents or traveling representatives.

Every person who engages in this state in the business of acting as an independent selling agent for persons who do not hold a valid certificate of registration, and who receives compensation by reason of sales of tangible personal property of his principals made for use in this state, shall, at the time such sales are made, collect from the purchasers the tax imposed under this chapter, and for that purpose shall be deemed a retailer as defined in this chapter.

The tax required to be collected by this chapter shall be deemed to be held in trust by the retailer until paid to the department and any retailer who appropriates or converts the tax collected to his own use or to any use other than the payment of the tax provided herein to the extent that the money required to be collected is not available for payment on the due date as prescribed shall be guilty of a misdemeanor. In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay the same to the department in the manner prescribed, whether such failure is the result of his own acts or the result of acts or conditions beyond his control, he shall nevertheless, be personally liable to the state for the amount of such tax. If the seller is a corporation, any officer or employee thereof who has the authority or responsibility for reporting and paying to the department taxes collected pursuant to this chapter shall be personally liable, jointly with any other such officer or employee and severally, for any willful failure to so report and pay, and all of the provisions of chapter 82.32 RCW for collection of the tax may be enforced against any such officer or employee as against the corporation which they represent. The personal liability of such officer as provided herein shall survive the dissolution of the corporation.

Any retailer who refunds, remits, or rebates to a purchaser, or transferee, either directly or indirectly, and by whatever means, all or any part of the tax levied by this chapter, or makes in any form of advertising, verbal or otherwise, any statements which might infer that he is absorbing the tax or paying the tax for the purchaser or transferee by an adjustment of prices, or at a price including the tax, or in any other manner whatsoever shall be guilty of a misdemeanor.

Sec. 12. Section 83.01.010, chapter 15, Laws of 1961 as amended by section 15, chapter 26, Laws of 1967 ex. sess. and RCW 83.01.010 are each amended to read as follows:

For the purposes of this title, unless otherwise required by the context:

(1) "Supervisor" means and refers to the director of revenue of the state of Washington;

(2) "Tax commission", "commission" or "department" means the department of revenue of the state of Washington;

(3) "Taxpayer" includes any individual, group of individuals, corporation, or association liable for any tax or the collection of any tax under the provisions of this title, or who engages in any business or performs any act for which a tax is imposed by this title;

(4) "Adopted child" means any person who has not reached his or her eighteenth birthday on the date of adoption, or a person who was adopted more than five years prior to the death of the decedent;

(5) Words in the singular number shall include the plural and the plural shall include the singular;

~~((5))~~ (6) Words in one gender shall include all other genders.

Sec. 13. Section 84.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.020 are each amended to read as follows:

The following property shall be exempt from taxation:

All lands, and buildings required for necessary administration and maintenance, used, or to the extent used, exclusively for public burying grounds or cemeteries without discrimination as to race, color, national origin or ancestry;

All churches and the ground, not exceeding five acres in area, upon which a church of any nonprofit recognized religious denomination is or shall be built, together with a parsonage ((and)), convent, and buildings and improvements required for the maintenance and safeguarding of such property. The area exempted shall in any case include all ground covered by the church, parsonage ((and)), convent, and buildings and improvements required for the maintenance and safeguarding of such property and the structures and ground necessary for street access, parking, light, and ventilation, but the area of unoccupied ground exempted in such cases, in connection with church, parsonage, ((and)) convent, and buildings and improvements required for the maintenance and safeguarding of such property, shall not exceed the equivalent of one hundred twenty by one hundred twenty feet except where additional unoccupied land may be required to conform with state or local codes, zoning, or licensing requirements. The parsonage and convent need not be on land contiguous to the church property. To be exempt the property must be wholly used for church purposes: PROVIDED, That the loan or rental of property otherwise exempt under this paragraph to a nonprofit organization, association, or corporation, or school for use for an eleemosynary activity shall not nullify the exemption provided in this paragraph if the rental income, if any, is reasonable and is devoted solely to the operation and maintenance of the property.

Sec. 14. Section 1, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.381 are each amended to read as follows:

A person shall be exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed in accordance with the following conditions:

(1) The property taxes must have been imposed upon a residence which has been regularly occupied by the person claiming the exemption during the two calendar years preceding the year in which the exemption claim is filed; or the property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of January 1st of the year for which the claim is filed and the person claiming the exemption must also have been a resident of the state of Washington for the last three calendar years preceding the year in which the claim is filed: PROVIDED, That any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant shall receive an exemption on more than one residence in any year.

(2) The person claiming the exemption must have owned, at the time of filing, in fee, or by contract purchase, the residence on which the property taxes have been imposed. For purposes of this subsection, a residence owned by a marital community shall be deemed to be owned by each spouse.

(3) The person claiming the exemption must have been sixty-two years of age or older on January 1st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability.

(4) The amount that the person shall be exempt from an obligation to pay shall be calculated, on the basis of the combined income, from all sources whatsoever, of the person claiming the exemption and his or her spouse for the preceding calendar year, in accordance with the following schedule:

Income Range	Percentage of Excess Levies Exemption
\$5,000 or less	One hundred percent
\$5,001 - \$6,000	Fifty percent

PROVIDED, HOWEVER, That, in addition, any person, who otherwise qualifies under the provisions of this section, and is within the income range of four thousand dollars or less shall be exempt from any obligation to pay regular property taxes on up to five thousand dollars of valuation of his or her residence: PROVIDED FURTHER, That only two-thirds of any social security benefits, federal civil service retirement, or railroad retirement pension shall be considered as income for the purposes of this section: AND PROVIDED FURTHER, That the gain realized by any person from the sale, transfer, or upon being displaced from his or her residence shall not be considered as income for the purposes of this section if reinvested in a replacement residence within eighteen months of its realization.

Sec. 15. Section 3, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.385 are each amended to read as follows:

Claims for exemption or a renewal affidavit under RCW 84.36.381, as now or hereafter amended, shall be made annually and filed between January 2 and July 1 of the year in which the property tax levies are imposed and solely upon forms as prescribed and furnished by the department of revenue: PROVIDED, That no claim for exemption shall be rejected for failure to make timely filing if the assessor shall determine that good cause existed for the failure to make timely filing.

((Claims under RCW 84.36.381 through 84.36.389 in 1974 shall be filed between January 2 and August 1, 1974.))

In January of each year the county assessor shall mail renewal affidavits for exemption to each person approved for exemption during the previous year.

If the assessor finds that the applicant does not meet the qualifications as set forth in RCW 84.36.381, as now or hereafter amended, the claim shall be denied but such denial shall be subject to appeal under the

provisions of RCW 84.48.010(5). If the applicant had received exemption in prior years based on erroneous information, the taxes shall be collected subject to penalties as provided in RCW 84.40.130 for a period of not to exceed three years.

The department and each local assessor is hereby directed to publicize the qualifications and manner of making claims pursuant to this chapter, through communications media, including such paid advertisements or notices as it deems appropriate. Whenever possible notice of the qualifications, method of making applications and availability of further information shall be included with property tax statements.

Sec. 16. Section 4, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.387 are each amended to read as follows:

(1) All claims for exemption shall be made and signed by the person entitled to the exemption, by his or her attorney in fact or in the event the residence of such person is under mortgage or purchase contract requiring accumulation of reserves out of which the holder of the mortgage or contract is required to pay real estate taxes, by such holder or by the owner, either before two witnesses or the county ((treasurer)) assessor or his deputy in the county where the real property is located.

(2) If the taxpayer is unable to submit his own claim, the claim shall be submitted by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

(3) Any person signing a false claim with the intent to defraud or evade the payment of any tax shall be guilty of the offense of perjury.

Sec. 17. Section 8, chapter 169, Laws of 1974 ex. sess. and RCW 84.36.470 are each amended to read as follows:

((All animals, birds, or insects, and all agricultural crops.)) Any agricultural or horticultural produce or crop, including any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom grown or produced for sale by any person upon his own lands or upon lands in which he has a present right of possession who is exempted from payment of business and occupation tax pursuant to RCW 82.04.330 as now or hereafter amended shall be assessed for the purposes of ad valorem taxes according to the following schedule:

Commencing with assessment as of January 1, 1975, for taxes due in 1976 the assessment level shall be seventy-five percent of true and fair value.

Commencing with assessment as of January 1, 1976, for taxes due in 1977 the assessment level shall be seventy percent of true and fair value.

Commencing with assessment as of January 1, 1977, for taxes due in 1978 the assessment level shall be sixty percent of true and fair value.

Commencing with assessment as of January 1, 1978, for taxes due in 1979 the assessment level shall be fifty percent of true and fair value.

Commencing with assessment as of January 1, 1979, for taxes due in 1980 the assessment level shall be forty percent of true and fair value.

Commencing with assessment as of January 1, 1980, for taxes due in 1981 the assessment level shall be thirty percent of true and fair value.

Commencing with assessment as of January 1, 1981, for taxes due in 1982 the assessment level shall be twenty percent of true and fair value.

Commencing with assessment as of January 1, 1982, for taxes due in 1983 the assessment level shall be ten percent of true and fair value.

Commencing with assessment as of January 1, 1983, for taxes due in 1984 such inventories shall be fully exempt under chapter 84.36 RCW.

Commencing with January 1, 1983, assessments for taxes due in 1984, taxpayers shall not be required to report, or assessors to list, the inventories covered by this phase out exemption.

Nothing in this section shall be construed to remove or otherwise affect any exemption from assessment granted by RCW 84.44.060.

Sec. 18. Section 9, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.815 are each amended to read as follows:

In order to qualify ((or requalify)) for exempt status for real or personal property pursuant to the provisions of chapter 84.36 RCW, as now or hereafter amended, all foreign national governments, churches, cemeteries, nongovernmental nonprofit corporations, organizations, and associations, private schools or colleges, and soil and water conservation districts ((must)) shall file an ((annual renewal)) initial application ((verifying the facts in the original claim)) on or before March 31 with the state department of revenue. All ((application forms shall be signed by an authorized agent of the applicant. Such)) applications ((must)) shall be filed on forms prescribed by the department ((of revenue no later than March 31 of each year. The department of revenue may provide by rule that such applications may be available at and filed with each county assessor and forwarded to the department of revenue for review)) and shall be signed by an authorized agent of the applicant.

In order to requalify for exempt status, such applicants except nonprofit cemeteries shall file a renewal application on or before March 31 of the second year following the date of such initial application and on or before March 31 of every second year thereafter: PROVIDED, That where an applicant previously granted exemption acquires or otherwise converts real property to exempt status, such applicant shall file a renewal application no later than sixty days following the conversion of such real property to exempt status. Failure to file a renewal application within sixty days of conversion of such real property to exempt status shall nullify the exemption otherwise available for such property in the year of such conversion.

Sec. 19. Section 11, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.825 are each amended to read as follows:

An application fee of thirty-five dollars for each ~~((annual))~~ initial and renewal application ~~((for exemption))~~ shall be required and shall be deposited within the general fund. Applications made for assessment year 1974 ~~((will)), if approved, shall be considered initial applications whether or not an exemption has previously been approved: PROVIDED, That application fees for renewal applications submitted for assessment year 1975 are hereby cancelled and such fees collected by the department shall be refunded.~~

Sec. 20. Section 19, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.865 are each amended to read as follows:

The department of revenue of the state of Washington shall make such rules and regulations consistent with chapter 34.04 RCW and the provisions of this ~~((1973 amendatory act))~~ chapter as shall be necessary or desirable to permit its effective administration.

Sec. 21. Section 84.69.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 122, Laws of 1974 ex. sess. and RCW 84.69.020 are each amended to read as follows:

On order of the board of county commissioners or other county legislative authority of any county, ad valorem taxes paid before or after delinquency shall be refunded if they were:

- (1) Paid more than once; or
- (2) Paid as a result of manifest error in description; or
- (3) Paid as a result of a clerical error in extending the tax rolls; or
- (4) Paid as a result of other clerical errors in listing property; or
- (5) Paid with respect to improvements which did not exist on assessment date; or
- (6) Paid under levies or statutes adjudicated to be illegal or unconstitutional; or
- (7) Paid as a result of mistake, inadvertence, or lack of knowledge by any person exempted from paying real property taxes or a portion thereof pursuant to ~~((RCW 84.36.128 or pursuant to RCW 84.36.370 and 84.36.380))~~ RCW 84.36.381 through 84.36.389, as now or hereafter amended; or

(8) Paid or overpaid as a result of mistake, inadvertence, or lack of knowledge by either a public official or employee or by any person paying the same or paid as a result of mistake, inadvertence, or lack of knowledge by either a public official or employee or by any person paying the same with respect to real property in which the person paying the same has no legal interest; or

(9) Paid on the basis of an assessed valuation which was appealed to the county board of equalization and ordered reduced by the board; or

(10) Paid on the basis of an assessed valuation which was appealed to the state board of tax appeals and ordered reduced by the board: PROVIDED, That the amount refunded under subsections (9) and (10) shall only be for the difference between the tax paid on the basis of the appealed valuation and the tax payable on the valuation adjusted in accordance with the board's order.

(11) Paid as a state property tax levied upon county assessed property, the assessed value of which has been established by the state board of tax appeals for the year of such levy: PROVIDED, HOWEVER, That the amount refunded shall only be for the difference between the state property tax paid and the amount of state property tax which would, when added to all other property taxes within the one percent limitation of Article VII, section 2 (Amendment 59) of the state Constitution equal one percent of the assessed value established by the board.

No refunds under the provisions of this section shall be made because of any error in determining the valuation of property, except as authorized in subsection (9), (10), and (11).

NEW SECTION. Sec. 22. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

The following property shall be exempt from taxation: The real and personal property of a nonprofit fair association that sponsors or conducts a fair or fairs which receive support from revenues collected pursuant to RCW 67.16.100 and allocated by the director of the department of agriculture. The loan or rental of property otherwise exempt under this section to a nonprofit organization, association, or corporation, or municipal corporation shall not nullify the exemption provided in this section if the rental income, if any, is reasonable and is devoted solely to the operation and maintenance of the property. The loan or rental of property otherwise exempt under this section to a private concessionaire or to any person for use as a concession in conjunction with activities permitted under this section shall not nullify the exemption if the concession charges are subject to agreement and the rental income, if any, is reasonable and is devoted solely to the operation and maintenance of the property.

NEW SECTION. Sec. 23. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

All property owned in fee or by contract purchase by any nonprofit corporation or association which is available without charge for research by, or for the training of, doctors, laboratory technicians, hospital administrators and staff or other medical personnel, and which otherwise is used exclusively for medical research, the results of which will be available without cost to the public, shall be exempt from ad valorem taxation.

NEW SECTION. Sec. 24. The following acts or parts of acts are each hereby repealed:

(1) Section 3, chapter 117, Laws of 1959, section 1, chapter 101, Laws of 1961, section 15, chapter 110, Laws of 1967 ex. sess., section 24, chapter 277, Laws of 1971 ex. sess., section 80, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.090; and

(2) Section 18, chapter 288, Laws of 1971 ex. sess. and RCW 84.10.010.

**NEW SECTION.** Sec. 25. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 26. This 1975 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing institutions, and shall take effect immediately: **PROVIDED,** That section 6 of this amendatory act shall be effective on and after January 1, 1976."

On line 1 of the title after "taxation;" strike the remainder of the title and insert the following: "amending section 1, chapter 162, Laws of 1943 as last amended by section 79, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.010; amending and reenacting section 18, chapter 277, Laws of 1971 as amended by section 81, chapter 195, Laws of 1973 1st ex. sess. and by section 4, chapter 213, Laws of 1973 1st ex. sess. and RCW 70.33.040; amending section 82.04.120, chapter 15, Laws of 1961 as amended by section 3, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.120; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260; amending section 2, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.442; amending section 4, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.443; amending section 82.04.460, chapter 15, Laws of 1961 and RCW 82.04.460; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 185, Laws of 1974 ex. sess. and RCW 82.08.030; amending section 82.08.030; amending section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.050; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 2, chapter 185, Laws of 1974 ex. sess. and RCW 82.12.030; amending section 82.12.040, chapter 15, Laws of 1961 as last amended by section 11, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.040; amending section 83.01.010, chapter 15, Laws of 1961 as amended by section 15, chapter 26, Laws of 1967 ex. sess. and RCW 83.01.010; amending section 84.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.020; amending section 1, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.381; amending section 3, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.385; amending section 4, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.387; amending section 8, chapter 169, Laws of 1974 ex. sess. and RCW 84.36.470; amending section 9, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.815; amending section 11, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.825; amending section 19, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.865; amending section 84.69.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 122, Laws of 1974 ex. sess. and RCW 84.69.020; adding new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW; repealing section 3, chapter 117, Laws of 1959, section 1, chapter 101, Laws of 1961, section 15, chapter 110, Laws of 1967 ex. sess., section 24, chapter 277, Laws of 1971 ex. sess., section 80, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.090; repealing section 18, chapter 288, Laws of 1971 ex. sess. and RCW 84.10.010; prescribing an effective date; and declaring an emergency."

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Eikenberry, Hurley (George), Hurley (Margaret), Kuehnle, Newhouse, Pardini, Sommers.

**MINORITY recommendation:** Do not pass. Signed by Representatives Hawkins, Kilbury.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Thompson, the House advanced to the seventh order of business.

Mr. O'Brien assumed the Chair.

#### THIRD READING

**ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 127** as amended by the House, by Committee on Ways and Means (Originally sponsored by Senators Knoblauch, Donohue, Mardesich, Matson, Clarke, Scott, Sellar and Jones):

Establishing constitutionally a citizens' commission to set salaries of public officials.

The bill was read the third time and placed on final passage.

#### MOTION

On motion of Ms. Sommers, the rules were suspended and Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House was returned to second reading for the purpose of amendment.

On motion of Ms. Sommers, the following amendment by Representatives Sommers and Newhouse was adopted:

On page 1, strike everything after the clause of resolution and insert the following:

"THAT, At the general election to be held in this state on the first Tuesday next succeeding the first

approval and ratification, or rejection, a proposal to amend ARTICLE XXVIII of the Constitution of the state of Washington by amending section 1, thereof to read as follows:

Article XXVIII, section 1. All elected state officials ahall each severally receive such compensation as the legislature may direct. The compensation of any state officer shall not be ~~((increased or))~~ diminished during his term of office ~~((except that the legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949))~~. No member of the legislature, during the term for which he is elected, shall be appointed to any civil office in the state which shall have been created, or the emoluments of which shall been increased, by the legislature during the term for which he was elected. Salaries for members of the legislature shall be fixed by an independent commission created by law for that purpose. No state official, member or former member of the state legislature, state employee, or official or employee of a political subdivision, municipal corporation, or special district of the state, or person required to register with a state agency as a lobbyist, shall be a member of the commission. No less than sixty percent of the membership of the commission shall be chosen by lot by the secretary of state from among the registered voters of the state, with one member from each congressional district. Persons chosen by lot shall be confirmed by the chief justice of the supreme court, who shall personally or by designee examine each person for bias, interest, prejudice and competency. The balance of the membership shall be appointed as provided by law. The term of office of the members of the commission shall be as determined by law, and no member of the commission may be removed except for cause specified by law, following a hearing by a tribunal of three superior court judges appointed by the chief justice of the supreme court. Any change of salary shall be filed with the secretary of state and shall become law ninety days thereafter without action of the legislature or governor, but shall be subject to referendum petition by the people, filed within said ninety days. Referendum measures under this section shall be submitted to the people at the next following general election, and shall be otherwise governed by the provisions of this Constitution generally applicable to referendum measures. The salaries fixed pursuant to this section shall supersede any other provision for the salaries of members of the legislature. Sections 13 and 23 of Article II are hereby repealed, and the provisions of sections 14, 16, 17, 19, 20, 21, and 22 of Article III and section ~~((23))~~ 1 of Article II insofar as they are inconsistent herewith, are hereby repealed.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendments to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House was placed on final passage.

Ms. Sommers spoke in favor of passage of the resolution.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Moon.

Mr. Moon: "There is one thing that has concerned me and I want it as a matter of record. On line 42, it says 'persons chosen by lot shall be confirmed by the chief justice of the supreme court who shall personally or by designee examine each person for his bias, interest, prejudice and competency.' What I want to know is does this mandate that the individual be confirmed or does it give the chief justice the opportunity to either confirm or reject the individual?"

Mr. Newhouse: "We had advice of constitutional attorneys on this and the inference is that the chief justice of the supreme court or his designee shall have the power to confirm or reject on the basis of the criteria established."

Representatives Moon, Douthwaite and Smith (Rick) spoke in favor of the resolution, and Representatives Leckenby and Eikenberry spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House, and the resolution passed the House by the following vote: Yeas, 73; nays, 23; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charney, Chatalas, Clemente, Cochrane, Deccio, Douthwaite, Ehlers, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Jueling, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Schumaker, Seiberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Bond, Conner, Dunlap, Eikenberry, Eng, Freeman, Gilleland, Grengo, Hayner, Hendricks, Kalich, Kuehnle, Leckenby, Matthews, Patterson, Peterson, Polk, Tilly, Wilson, Zimmerman.



Not voting: Representatives Curtis, Kilbury.

Engrossed Substitute Senate Joint Resolution No. 127 as amended by the House, having received the constitutional majority, was declared passed.

#### EXPLANATION OF VOTE

I voted against ESSJR 127, a constitutional amendment to establish a commission to set legislative salaries for these reasons:

1. This step would be a legislative abdication of decision-making to set length of sessions, because the commission could, by setting high salaries, make it attractive and encouraging to have a "full-time" legislature.

2. This is a big step toward eliminating the citizen legislature with limited sessions.

3. The setting of salaries is an important and essential, yet difficult, responsibility of the legislature.

4. The proposal delegates rights of the legislature to commission which, in effect, passes law affecting salaries.

5. It provides a "smoke screen" for salary increases and fails to recognize legislative fringe benefits of \$40 per day per diem (averaging about \$4,000 a year of regular sessions); monthly expenses of \$50; a liberal stamp allowance; and staff.

6. Such a proposal at the federal level has increased costs, staff and salaries of congressmen, and I do not feel we have gained appreciably in the quality of federal legislation, but have seen many more federal regulations.

HAL ZIMMERMAN, 17th District.

SUBSTITUTE SENATE BILL NO. 2086, by Committee on Judiciary (Originally sponsored by Senators Marsh, Francis and Buffington):

Changing certain laws relating to the guardianship of incompetents.

The bill was read the third time and placed on final passage.

Mr. Smith (Rick) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2086, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kilbury, Patterson.

Substitute Senate Bill No. 2086, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2169 as amended by the House, by Senators Bottiger, Sellar and Talley:

Providing for the adoption and implementation of standards for integrating school library and media services.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2169 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 16; not voting, 5.

Voting yea: Representatives Adams, Amen, Bauer, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Haley, Hanna, Hansey,

Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bausch, Blair, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Hansen, Hayner, Hurley M., Newhouse, Schumaker, Shinpoch, Tilly.

Not voting: Representatives Curtis, Kilbury, Kuehnle, Polk, Wilson.

Engrossed Senate Bill No. 2169 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SENATE BILL NO. 2210** as amended by the House, by Senators Stortini, Murray and Ridder (by Superintendent of Public Instruction request):

Authorizing fees for optional noncredit extra-curricular events of school districts and providing for their disposition.

The bill was read the third time and placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2210 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Gallagher, North.

Not voting: Representatives Kilbury, Wilson.

Engrossed Senate Bill No. 2210 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please record our votes as "Nay" on Engrossed Senate Bill No. 2210.

RON DUNLAP, 41st District.

KEMPER FREEMAN, 48th District.

**ENGROSSED SENATE BILL NO. 2453**, by Senators Murray, Fleming, North and Bailey:

Granting criminal justice training commission power to lease facilities.

The bill was read the third time and placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2453, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kilbury, Wilson.

Engrossed Senate Bill No. 2453, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2741, by Senators Clarke, Jolly and Jones:

Establishing conversion procedures for savings and loan associations and mutual savings banks.

The bill was read the third time and placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2741, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnie, Laughlin, Leckenby, Lee, Luders, Lysen, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kilbury, Martinis.

Senate Bill No. 2741, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 880, by Committee on Ecology (Originally sponsored by Representatives Luders and Zimmerman):

Providing for a study of water resource allocation and imposing a moratorium on the granting of certain permits.

The bill was read the third time and placed on final passage.

Representatives Luders and Charnley spoke in favor of the bill, and Representatives Haussler and Hayner spoke against it.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Flanagan.

Mr. Flanagan: "Before we vote on this bill it seems to me that there should be a question answered to clarify the situation that exists. The Department of Ecology has been withholding the issuance of any permits for water withdrawal in the area mentioned by Representative Hayner for a considerable period of time now. I think we ought to know, in your opinion or if you do have a legal opinion, whether it is necessary to pass this bill in order for the Department of Ecology to continue to withhold the issuance of permits for water withdrawal for a period of six or seven months while a committee makes further study of this subject? Apparently they have already been doing it. Do you think that they have the legal authority to withhold further issuance for a period of time while this study is being conducted without passing this bill?"

Mr. Luders: "The Department of Ecology did have an administrative meeting and announced publicly about a month ago that they were going to release the big permits, too. It was at that time that House Bill No. 880 came into creation because they felt that they could no longer wait for the legislature to take action on a policy regarding how we are going to cope with the water permits. I guess under the Administrative Procedures Code the Department of Ecology could continue to hold these back, but I'm of the opinion that unless the legislature is willing to shoulder some of the blame they are unwilling to do so, then the barn door is opened, the cat is out of the bag and the water is down the drain."

Representatives Perry and Amen spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Pardini.

Mr. Pardini: "The meat section of this bill, basically, is section 3. On line 19 it says, 'The intent of this section is that pending the outcome of studies required by section 2 of this act, no right to make use of public water for such purposes shall be authorized by the department which allows any person, corporation, or other entity water for use on more than two thousand additional acres, or which allows any new project to use water on more than two thousand acres.' As you know, permits are being held up even on the two thousand acre projects. Is it your understanding that when we place the moratorium of seven months on those over two thousand acres that we are also directing the Department of Ecology to issue the water permits on those less than two thousand acres?"

Mr. Luders: "In the meeting which we had with the parties concerned, the executive branch and the Department of Ecology, that was the recommendation—that those permits under two thousand acres would be released, and then on the floor of this House, at the request of Representative Flanagan, we also excluded irrigation projects in excess of two thousand acres, which is the Department of Ecology's agreement as well. So the extent of this is to only moratorium those large users and the intent further is that the Department of Ecology, in all due speed, would issue the permits for all the others of less than that amount."

Mr. Pardini: "In that instance, if they are going to issue approximately 1,780 applications, which are pending on two thousand acres or less, can you tell me what the relationship of those 1,780 permits is compared to the 20 large permits? How much water is going out on two thousand acres or less and how much is being requested on the major permits?"

Mr. Luders: "The 20 permits which are the ones that are currently considered to be in excess of two thousand acres represent 70% of all the water and the remaining 1,780 represent 30% of the water."

## POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Deccio.

Mr. Deccio: "As a member of the Agriculture Committee and the Committee on Ecology, three bills have been of vital concern, not only to me but to the farmers in my district, House Bills No. 456, 458 and 970. Do you think, or do you know, whether this moratorium is designed to give the Department of Ecology and the Governor's office more time to sell these bills to more legislators? As you know at the hearing that we had on these water bills, nineteen people testified against, and only one, Governor Evans, testified in favor of them. Is there an ulterior motive in this legislation to give the proponents—"

## POINT OF ORDER

Mr. Charette: "I believe that under the House Rules the purpose of yielding to a question is to place something in the record that will aid people in the future in establishing legislative intent. I believe Representative Deccio has gone beyond that."

The Speaker (Mr. O'Brien presiding): "Representative Deccio, you will hold your question to the bill and material that is germane to the subject matter of the bill."

Mr. Luders: "In the discussions which I have had with the Department of Ecology and the executive branch, there was general agreement that House Bill No. 458 and the other two which you mentioned are probably not going to survive the legislative process. What I think I should tell you is that I have appointed an ad hoc committee and maybe the membership of that committee will help calm your nervousness in relation to what is going to happen in Yakima. The ad hoc committee is made up of Representatives Flanagan, Hansen and myself and several other legislators. It will also have the Department of Game, the Department of Ecology, the Department of Agriculture, a representative from the Bureau of Reclamation, the Department of Natural Resources, and probably one which I have left out. The idea of which is to make it as broadly based as possible so that we do not come up with either a strongly anti-irrigation posture or a strongly pro-irrigation posture, but to address the problem of water as it really is. It's a major public resource and we now have a new ballgame to concern ourselves with and that's what we are attempting to do."

Representatives Deccio, Schumaker, Berentson and Boldt spoke in favor of passage of the bill.

Mr. Hurley (George) demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 880, and the bill passed the House by the following vote: Yeas, 76; nays, 21; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Kalich, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Bond, Brown, Chatalas, Curtis, Eikenberry, Freeman, Gallagher, Gilleland, Haussler, Hayner, Jastad, Jueling, Kuehnle, Matthews, May, Pardini, Polk, Schumaker, Wilson.

Not voting: Representative Kilbury.

Engrossed Substitute House Bill No. 880, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

At the time of vote on final passage of Engrossed Substitute House Bill No. 880 I was off the floor preparing an amendment to exempt drainage ditches from the shorelines management act, and my voting switch was erroneously voted "Yes."

It was my intention to vote "No" on Engrossed Substitute House Bill No. 880.

DON HANSEY, 40th District.

SUBSTITUTE HOUSE BILL NO. 200, by Committee on Ways and Means (Originally sponsored by Representatives Thompson, Fortson, Wojahn and Laughlin - by State Teachers' Retirement System request):

Redefining fiscal year for teachers' retirement purposes.

The bill was read the third time and placed on final passage.

Representatives Warnke and Kuehnle spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 200, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Dunlap, Freeman, Kilbury, and Mr. Speaker.

Substitute House Bill No. 200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, all bills passed to this point in the day's proceedings were ordered transmitted immediately to the Senate.

#### SENATE AMENDMENTS TO HOUSE BILL

May 9, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 527 with the following amendments:

On page 1, line 8 of the engrossed and printed bill, after "adjacent" strike "inland"

On page 1, line 12 of the engrossed and printed bill, strike "inland"

On page 1, line 16 of the engrossed and printed bill, after "adjacent" strike "inland"

On page 2, line 6 of the engrossed and printed bill, after "adjacent" strike "inland"

On page 2, line 7 after "waters" strike ", except when in ballast."

On page 2, beginning on line 11 strike all of the material down to and including line 29 and insert:

"(1) Any oil tanker, whether enrolled or registered, of greater than one hundred and twenty-five thousand deadweight tons shall be prohibited from proceeding beyond a point east of a line extending from Discovery Island light south to New Dungeness light.

(2) An oil tanker, whether enrolled or registered, of forty to one hundred and twenty-five thousand deadweight tons may proceed beyond the points enumerated in subsection (1) if such tanker possesses all of the following standard safety features:

(a) Shaft horsepower in the ratio of one horsepower to each two and one-half deadweight tons; and

(b) Twin screws; and

(c) Double bottoms, underneath all oil and liquid cargo compartments; and

(d) Two radars in working order and operating, one of which must be collision avoidance radar; and

(e) Such other navigational position location systems as may be prescribed from time to time by the board of pilotage commissioners:

PROVIDED, That, if such forty to one hundred and twenty-five thousand deadweight ton tanker is in ballast or is under escort of a tug or tugs with an aggregate shaft horsepower equivalent to five percent of the deadweight tons of that tanker, subsection (2) of this section shall not apply: PROVIDED FURTHER, That additional tug shaft horsepower equivalencies may be required under certain conditions as established by rule and regulation of the Washington utilities and transportation commission pursuant to chapter 34.04 RCW: PROVIDED FURTHER, That a tanker of less than forty thousand deadweight tons is not subject to the provisions of this act."

On page 2, line 32 of the engrossed and printed bill, after "The" strike "board of pilotage commissioners" and insert "Washington utilities and transportation commission"

On page 2, line 33 after "regulations" strike "pursuant to RCW 88.16.030 as"

On page 2, line 35 strike "The Legislative Transportation Committee and the" and insert "The"

On page 3, line 5 after "1977." insert "Such study shall also include a report on the feasibility, benefits and disadvantages of requiring vessels under tug escort to observe a speed limit, and such study shall include a discussion of the impact of a speed limit on the maneuverability of the vessel, the effectiveness of the tug escort and other legal and technical considerations material and relevant to the required study."

On page 3, line 5 of the engrossed bill, being the last line of the House amendment to page 2, line 35, after "1977." insert "Such study shall also include an evaluation and recommendations as to whether there should be a transfer of all duties and responsibilities of the board of pilotage commissioners to the Washington utilities and transportation commission or other state agency, and alternate methods for establishing fair and equitable rates for tug escort and pilot transfer."

On page 3, following line 9 add a new section to read as follows:

"NEW SECTION. Sec. 7. The provisions of this 1975 act shall expire on June 30, 1978."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Smith (Rick), the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 527.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 527 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 527 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Bond.

Not voting: Representatives Dunlap, Freeman, Kilbury, Patterson.

Engrossed Substitute House Bill No. 527 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 14, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 32 with the following amendments:

On page 1, line 6 of the title strike "; and declaring an emergency"

On page 1, beginning on line 26 after "(a)" strike all the material down through and including "(b))" on line 14 and insert:

"Any individual employed (i) on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or (ii) in packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; and the exclusions from the term 'employee' provided in this item shall not be deemed applicable with respect to commercial canning, commercial freezing, or any other commercial processing, or with respect to services performed in connection with the cultivation, raising, harvesting, and processing of oysters or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption;

(b)"

Restore the original subsection letters consecutively.

On page 2, line 22 after "religious," and before "or" insert "governmental agency,"

On page 3, line 26 strike "the calendar year 1975" and insert "((the calendar year 1975)) with the effective date of this act"

On page 3, line 36 strike "the calendar year 1975" and insert "with the effective date of this act"

On page 4, line 7 strike "the calendar year 1975" and insert "with the effective date of this act"

On page 4, line 14 strike "the calendar year 1975" and insert "with the effective date of this act"

On page 4, line 8 after "dollars" and before "an" insert "and ten cents"

On page 4, line 15 of the engrossed substitute bill, after "dollars" and before "an" insert "and ten cents"

On page 4, line 25 strike "the calendar year 1975" and insert "with the effective date of this act"

On page 4, beginning on line 30 strike all the material down through line 15 on page 5.

On page 5, beginning on line 16 strike all the matter down through line 22.

On page 5, line 31 after "amended" insert "and the provision of this subsection shall not apply to employees who request compensating time off in lieu of overtime pay"

On page 6, line 26 after "consumption" insert ": PROVIDED FURTHER, That this section shall not apply in the event that a federal law exists which regulates the work hours or work week of an industry, business or any employee or group of employees"

On page 6, beginning on line 27 strike section 4.

On page 6, beginning on line 27 insert a new section 4 as follows:

"NEW SECTION. Sec. 4. The director of the department of labor and industries and the commissioner of employment security shall each notify employers of the requirements of this act through their regular quarterly notices to employers."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

6. Mr. Parker moved that the House do not concur in the Senate amendment to page 1, line

6. Mr. Kuehnle moved that the House do concur in the Senate amendment to page 1, line

6. Mr. Kuehnle spoke in favor of the motion, and Mr. Parker spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to page 1, line 6 of Engrossed Substitute House Bill No. 32, and the motion was lost by the following vote: Yeas, 32; nays, 58; not voting, 8.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Eikenberry, Flanagan, Gilleland, Greengo, Hansey, Haussler, Hayner, Hendricks, Jastad, Juelling, Kuehnle, Leckenby,

Lee, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Kalich, King, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Dunlap, Fortson, Freeman, Haley, Kilbury, Knowles, Luders, Matthews.

#### STATEMENT FOR THE JOURNAL

I wish to change my vote to "No" on the amendment regarding the increase of minimum wage for nursing homes.

ALEX DECCIO, 15th District.

On motion of Mr. Parker, the House concurred in the Senate amendment to page 1, line 26.

Mr. Parker moved that the House do concur in the Senate amendment to page 2, line 22.

Mr. Parker spoke in favor of the motion, and Mr. Pardini spoke against it.

The motion was carried.

On motion of Mr. Parker, the House concurred in the Senate amendments to page 3, line 26; page 3, line 36; page 4, line 7; page 4, line 14; and page 4, line 25.

Mr. Parker moved that the House do not concur in the Senate amendment to page 4, line 8.

Mr. Parker spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House do not concur in the Senate amendment to page 4, line 8 of Engrossed Substitute House Bill No. 32, and the motion was carried by the following vote: Yeas, 66; nays, 25; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Chandler, Douthwaite, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Hendricks, Leckenby, Lee, Matthews, Nelson, Pardini, Paris, Patterson, Peterson, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Dunlap, Eikenberry, Freeman, Kilbury, Newhouse, Polk.

#### STATEMENT FOR THE JOURNAL

I wish to change my vote on the amendment to page 4, line 8, after "dollars" and before "an" insert "ten cents." I voted against concurrence and I wish to vote to concur.

PAT COCHRANE, 8th District.

On motion of Mr. Parker, the House did not concur in the Senate amendment to page 4, line 15.

On motion of Mr. Parker the House did concur in the Senate amendments to page 4, line 30 and page 5, line 16.

Mr. Parker moved that the House do not concur in the Senate amendment to page 5, line 31.

Mr. Kuehnle moved that the House do concur in the Senate amendment to page 5, line 31.

Mr. Kuehnle spoke in favor of the motion, and Mr. Parker spoke against it.

Mr. Hansey demanded an electric roll call, and the demand was sustained.

Representatives Berentson and Kuehnle spoke in favor of the motion to concur.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to page 5, line 31 of Engrossed Substitute House Bill No. 32, and the motion was carried by the following vote: Yeas, 67; nays, 27; not voting, 4.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Berentson, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Fischer, Flanagan, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, King, Kuehnle, Laughlin, Leckenby, Lee, Matthews, May, McCormick, McKibbin, Nelson, Newhouse, O'Brien, Pardini, Paris, Patterson, Perry,



Peterson, Polk, Randall, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bender, Boldt, Charnley, Clemente, Cochrane, Erickson, Fortson, Gaines, Hawkins, Hurley G. S., Kalich, Knowles, Luders, Lysen, Martinis, Maxie, Moon, Moreau, North, Parker, Savage, Smith R., Valle, Warnke, Williams, Wojahn.

Not voting: Representatives Blair, Dunlap, Freeman, Kilbury.

Mr. Parker moved that the House do not concur in the Senate amendment to page 6, line 26.

Mr. Amen moved that the House do concur in the Senate amendment to page 6, line 26.

Mr. Amen spoke in favor of the motion, and Mr. Parker spoke against it.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Do you know of any instance in which federal law regulates work hours or work week that does not at the same time regulate overtime provisions?"

Mr. Parker: "What I would have to do is have our staff come in and show you the sum total of about 47 or 48 pages of regulations in federal statutes. In almost all instances, the note I got from our staff was that the effect of this amendment was virtually to eliminate the time-and-a-half provisions that we included in the original bill that passed this House."

Mr. Kuehnle: "Do you know of any federal law that regulates hours or weeks that doesn't regulate overtime pay?"

Mr. Parker: "I thought I pointed out to you that that was the report that I got from the staff, that yes, they do regulate. But what I am saying is that they don't meet the standards that we set out in this bill and what I'm asking the members to do is not weaken the law. In terms of what we passed here, we said that if anyone works over forty hours he is entitled to time-and-a-half, but now with the adoption of your amendment, we've also extended that to say that not only are they entitled to time and a half, but if they want they can have compensating time. I think that provides uniformity and at the same time we've also provided certain exemptions in the law that say there are a number of areas, including agricultural workers, to which this act does not apply."

Mr. Kuehnle spoke in favor of the motion to concur.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Charnley.

Mr. Charnley: "Could you give some comments on any conflicts that you may be aware of between federal and state law?"

Mr. Parker: "No, because what you do is go to a higher standard. The state has the full ability to set a higher minimum wage than the federal minimum wage act. We can also set a higher standard and the employer is confused in this matter because if the federal law is the higher standard he has to go to that higher standard; if the state law is higher he has to go to the higher standard, so the answer to that is, no, there aren't any conflicts."

Mr. Savage spoke against the motion to concur in the Senate amendment.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to page 6, line 26 of Engrossed Substitute House Bill No. 32, and the motion was lost by the following vote: Yeas, 34; nays, 59; not voting, 5.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Eikenberry, Flanagan, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kuehnle, Leckenby, Lee, Matthews, May, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Dunlap, Freeman, Kilbury, Paris.

#### MOTION FOR RECONSIDERATION

Mr. Tilly, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the House refused to concur in the Senate amendment to page 6, line 26.

Mr. Tilly spoke in favor of the motion, and Mr. Parker spoke against it.

The motion was lost.

## MOTION FOR RECONSIDERATION

Mr. King, having voted on the prevailing side, moved that the House reconsider the vote by which the House concurred in the Senate amendment to page 5, line 31.

Mr. King spoke in favor of the motion, and Mr. Kuehnle spoke against it.

Mr. Chatalas demanded an electric roll call and the demand was sustained.

Mr. Parker spoke in favor of the motion, and Mr. Douthwaite spoke against it.

## ROLL CALL

The Clerk called the roll on the motion for reconsideration of the Senate amendment to page 5, line 31 of Engrossed Substitute House Bill No. 32, and the motion was lost by the following vote: Yeas, 39; nays, 51; not voting, 8.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Fortson, Gaines, Hanna, Hawkins, Hurley G. S., Kalich, King, Laughlin, Lysen, Martinis, Maxie, May, Moon, Moreau, O'Brien, Parker, Perry, Savage, Sherman, Shipoch, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Bond, Brown, Chandler, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Knowles, Kuehnle, Leckenby, Lee, Luders, Matthews, McCormick, McKibbin, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Seeberger, Smith E. P., Smith R., Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Blair, Dunlap, Fischer, Freeman, Kilbury, North, Paris, Randall.

On motion of Mr. Parker, the House refused to concur in the Senate amendment to page 6, line 27 striking section 4.

Mr. Parker moved that the House do concur in the Senate amendment to page 6, line 27 adding a new section.

Mr. Parker spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Hansey.

Mr. Hansey: "If we keep the emergency clause in and this act takes effect immediately, which could conceivably be in the next week or two, and the next quarterly report doesn't go out for two or three months, how are the employers going to know that as of a week or two ago they are subject to provisions of this act?"

Mr. Parker: "I'd question that two-day thing, since we can't bump bills anymore. We might be here awhile longer and I would suggest that I would like us to get home early, but I'm sure that if we can do that then the members of the press who would like us to go home would publicize adequately to employers the fact that we passed this bill."

## POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Pardini.

Mr. Pardini: "Very seriously, if the bill passes without the emergency clause, will these employers be in violation of the law if they have not received the notice? There are some employers who are too busy trying to keep their businesses together to read the paper."

Mr. Parker: "I'm sure that if they were in violation they would be given the opportunity to pay their employees the back wages owed to them. I doubt that would happen. I'm sure, having participated in the last go-round when we passed a minimum wage act in this House, it did not contain this provision and we didn't hear any great outcry on the part of the employers that they weren't informed on it."

Mr. Pardini spoke in favor of the motion to concur, and the motion was carried.

## MOTION FOR RECONSIDERATION

Mr. Kuehnle, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment to page 6, line 27, striking the emergency clause, was not concurred in.

Mr. Kuehnle spoke in favor of the motion, and Mr. Parker spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the amendment to page 6, line 27 (striking the emergency clause) was not concurred in, and the motion was lost by the following vote: Yeas, 37; nays, 55; not voting, 6.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Eikenberry, Eng, Flanagan, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kuehnle, Leckenby, Lee, Luders, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Kalich, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

Not voting: Representatives Blair, Dunlap, Freeman, Kilbury, Smith E. P., and Mr. Speaker.

#### MOTION

On motion of Mr. Thompson, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Dunlap, Freeman and Kilbury. Representative Kilbury was excused.

#### SENATE AMENDMENT TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 15 with the following amendment:

On page 2, line 12 of the engrossed bill, being line 11 of the printed bill, after "RCW" and before "or" insert "in a proceeding under chapter 18.32 RCW" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Fischer, the House concurred in the Senate amendment to Engrossed House Bill No. 15.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Engrossed House Bill No. 15 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 15 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Deccio, Dunlap, Freeman, Hanna, Kilbury, Moreau, Smith E. P.

Engrossed House Bill No. 15 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 42 with the following amendments:

On page 1, line 12 of the engrossed bill, being line 11 of the printed bill, after "library districts," insert "public hospital districts."

On page 1, line 12 of the engrossed bill, being line 11 of the printed bill, before "Indian" insert "regional planning agency created by any combination of county and city governments, health department or district, weed control district, county transit authority."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Gaspard, the House concurred in the Senate amendments to Engrossed House Bill No. 42.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 42 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 42 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Dunlap, Freeman, Kilbury.

Engrossed House Bill No. 42 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 47 with the following amendments:

On page 1, line 4 after "adding" and before "to" strike "a new section" and insert "new sections"

On page 1, line 10 after "of" and before "the" insert "the federal department of"

On page 1, line 12 after "cities" strike "of one thousand five hundred or more population"

On page 2, add a new section to read as follows:

"NEW SECTION. Sec. 4. There is added to chapter 47.26 RCW a new section to read as follows:

The urban arterial board may adopt rules establishing qualifications for cities and counties administering and supervising the design and construction of urban arterial projects financed in part from the urban arterial trust account. The rules establishing qualification shall take into account the resources and population of the city or county, its permanent engineering staff, its design and construction supervision experience and such other factors as the board deems appropriate. Any city or county failing to meet the qualifications established by the board for administering and supervising an urban arterial project, shall contract with a qualified city or county or the department of highways for the administration and supervision of the design and construction of any approved urban arterial project as a condition for receiving urban arterial trust account funds for the project."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mrs. North, the House concurred in the Senate amendments to page 1, line 4 and to page 2, adding a new section 4.

Mrs. North moved that the House refuse to concur in the Senate amendments to page 1, line 10 and to page 1, line 12, and ask the Senate for a conference thereon.

Mrs. North spoke in favor of the motion.

#### POINT OF INQUIRY

Mrs. North yielded to question by Mr. Pardini.

Mr. Pardini: "Is the purpose of not concurring in these because there is an objection to the amendments or just to get the bill into a conference position?"

Mrs. North: "It was my understanding that it needs to be in the conference position because we are changing the placement of one phrase in the second amendment. We don't object to the phrase, but we think it's in the wrong place. In the third amendment, the intent of dropping the population to zero is fine, the only thing is that we want to delete the part that refers to OPP&FM. We felt that a conference was necessary for this."

The motion was carried.

#### SENATE AMENDMENT TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 189 with the following amendment:

On page 1, line 26 after "mitte)" insert "at the mileage rate authorized in RCW 43.03.060 as now existing or hereafter amended" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Gaspard, the House concurred in the Senate amendment to House BILL No. 189.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of House Bill No. 189 as amended by The Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 189 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Dunlap, Freeman, Kilbury.

House Bill No. 189 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 239 with the following amendment:

On page 1, beginning on line 5 strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 48.21 RCW a new section to read as follows:

Any employee whose compensation includes group disability or blanket disability insurance providing health care services, the premiums for which are paid in full or in part by an employer including the state of Washington, its political subdivisions, or municipal corporations, or paid by payroll deduction, may pay the premiums as they become due directly to the policyholder whenever the employee's compensation is suspended or terminated directly or indirectly as the result of a strike, lockout, or other labor dispute, for a period not exceeding six months and at the rate and coverages as the policy provides. During that period of time the policy may not be altered or changed. Nothing in this section shall be deemed to impair the right of the insurer to make normal decreases or increases of the premium rate upon expiration and renewal of the policy, in accordance with the provisions of the policy. Thereafter, if such insurance coverage is no longer available, then the employee shall be given the opportunity to purchase an individual policy at a rate consistent with rates filed by the insurer with the commissioner. When the employee's compensation is so suspended or terminated, the employee shall be notified immediately by the policyholder in writing, by mail addressed to the address last on record with the policyholder, that the employee may pay the premiums to the policyholder as they become due as provided in this section.

Payment of the premiums must be made when due or the insurance coverage may be terminated by the insurer.

The provisions of any insurance policy contrary to provisions of this section are void and unenforceable after the effective date of this 1975 act.

**NEW SECTION. Sec. 2.** There is added to chapter 48.24 RCW a new section to read as follows:

Any employee whose compensation includes group life insurance, the premiums for which are paid in full or in part by an employer including the state of Washington, its political subdivisions, or municipal corporations, or paid by payroll deduction, may pay the premiums as they become due directly to the policyholder whenever the employee's compensation is suspended or terminated directly or indirectly as the result of a strike, lockout, or other labor dispute, for a period not exceeding six months and at the rate and coverages as the policy provides. During that period of time the policy may not be altered or changed. Nothing in this section shall be deemed to impair the right of the insurer to make normal decreases or increases of the premium rate upon expiration and renewal of the policy, in accordance with the provisions of the policy. Thereafter, if such insurance coverage is no longer available, then the employee shall be given the opportunity to purchase an individual policy at a rate consistent with rates filed by the insurer with the commissioner. When the employee's compensation is so suspended or terminated, the employee shall be notified immediately by the policyholder in writing, by mail addressed to the address last on record with the policyholder, that the employee may pay the premiums to the policyholder as they become due as provided in this section.

Payment of the premiums must be made when due or the insurance coverage may be terminated by the insurer.

The provisions of any insurance policy contrary to provisions of this section are void and unenforceable after the effective date of this 1975 act.

**NEW SECTION. Sec. 3.** There is added to chapter 48.44 RCW a new section to read as follows:

Any employee whose compensation includes a health care services contract providing health care services expenses, the premiums for which are paid in full or in part by an employer including the state of Washington, its political subdivisions, or municipal corporations, or paid by payroll deduction, may pay the premiums as they become due directly to the health care service contractor whenever the employee's compensation is suspended or terminated directly or indirectly as the result of a strike, lockout, or other labor dispute, for a period not exceeding six months and at the rate and coverages as the health care services contract provides. During that period of time such contract may not be altered or changed. Nothing in this section shall be deemed to impair the right of the insurer to make normal decreases or increases of the premium rate upon expiration and renewal of the policy, in accordance with the provisions of the policy. Thereafter, if such health care services coverage is no longer available, then the employee shall be given the opportunity to purchase an individual health care services contract at a rate consistent with rates filed by the health care service contractor with the commissioner. When the employee's compensation is so suspended or terminated, the employee shall be notified immediately by the contract holder in writing, by mail addressed to the address last of record with the contract holder, that the employee may pay the premiums to the health care service contractor as they become due as provided in this section.

Payment of the premiums must be made when due or the coverage may be terminated by the health care service contractor.

The provisions of any health care services contract contrary to provisions of this section are void and unenforceable after the effective date of this 1975 act.

**NEW SECTION. Sec. 4.** If any provision of this 1975 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 5.** This 1975 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Ehlers, the House concurred in the Senate amendment to Substitute House Bill No. 239.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Substitute House Bill No. 239 as amended by the Senate.

Representatives Ehlers and Blair spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 239 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Decchio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan,

Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Dunlap, Freeman, Kilbury.

Substitute House Bill No. 239 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

May 21, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 86,  
 HOUSE BILL NO. 295,  
 HOUSE BILL NO. 806,  
 SENATE BILL NO. 2071,  
 SENATE BILL NO. 2253,  
 SENATE BILL NO. 2271,  
 SENATE BILL NO. 2278,  
 SENATE BILL NO. 2385,  
 SENATE BILL NO. 2466,  
 SENATE BILL NO. 2608,  
 SUBSTITUTE SENATE BILL NO. 2692,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. Charette presiding) announced that the Speaker had signed:

HOUSE BILL NO. 468,  
 SENATE BILL NO. 2071,  
 SENATE BILL NO. 2117,  
 SENATE BILL NO. 2253,  
 SENATE BILL NO. 2271,  
 SENATE BILL NO. 2278,  
 SENATE BILL NO. 2328,  
 SENATE BILL NO. 2385,  
 SENATE BILL NO. 2393,  
 SENATE BILL NO. 2466,  
 SUBSTITUTE SENATE BILL NO. 2517,  
 SENATE BILL NO. 2608,  
 SUBSTITUTE SENATE BILL NO. 2616,  
 SENATE BILL NO. 2636,  
 SUBSTITUTE SENATE BILL NO. 2692,  
 SUBSTITUTE SENATE BILL NO. 2855,  
 SENATE BILL NO. 2960.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 405, by Representatives Conner, Savage, King and Charette:

Prescribing a change in computation of weekly unemployment compensation benefit amounts.

The bill was read the third time and placed on final passage.

Mr. Savage spoke in favor of passage of the bill.

## MOTION

Mr. Newhouse moved that the bill be rereferred to Committee on Rules.

Representatives Newhouse and Curtis spoke in favor of the motion, and Representatives Charette and King spoke against it.

Mr. Charette demanded the previous question and the demand was not sustained.

Mr. Newhouse closed debate, speaking again in favor of the motion to rerefer the bill to Rules Committee.

## ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed House Bill No. 405 to Committee on Rules, and the motion was lost by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kuehnie, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Kilbury, Seeberger.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 405.

Mr. King spoke in favor of passage of the bill, and Representatives Freeman, Leckenby and Curtis spoke against it.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "We have talked about percentages on this increase. In your committee did you get a total dollar impact on the biennium as to what the increase benefits would be and how much is that going to increase employers' payroll taxes?"

Mr. King: "The impact would be about \$22 million a year. Expressed in percentage of payroll in the state, it would be less on a percentage basis—in the hundredths of a percent increase in the tax paid by the employer. It's minute, 14% of 3% on \$6600 you're talking about—a fraction of a penny per hour, a very, very small amount."

Mr. Pardini spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 405, and the bill passed the House by the following vote: Yeas, 54; nays, 42; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., Kalich, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Jastad, Juelling, Kuehnie, Leckenby, Lee, Lysen, Matthews, McKibbin, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Seeberger, Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Blair, Kilbury.

Engrossed House Bill No. 405, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



MOTION

On motion of Mr. Charette, Engrossed House Bill No. 405 was ordered transmitted immediately to the Senate.

SENATE AMENDMENT TO HOUSE BILL

May 16, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 206 with the following amendment:

On page 1, beginning on line 11 strike the remainder of the bill and insert:

"NEW SECTION. Sec. 2. The legislature finds that present management of capital projects does not always ensure a systematic review of project increments such as planning, design, site acquisition, and construction. Projects are not regularly subjected to independent technical review concerning less costly alternatives nor are such projects regularly considered in context with master planning projections.

The office of program planning and fiscal management, in order to ensure management control, shall prepare a capital construction projects management plan for every item included in this act, except that fire and safety projects and maintenance type projects may be exempted from the master plan and program plan provisions of this section when such exemptions are approved by the office of program planning and fiscal management. Such capital construction projects management plan shall consider, but not necessarily be limited to, the following elements:

- (1) Master plan;
- (2) Program plan;
- (3) Physical plan; and
- (4) Construction.

The management plan shall provide for technical feasibility review of capital projects by the department of general administration and provision for incremental approvals of capital projects.

The management plan for capital projects shall be submitted to the legislature, no later than January 1, 1976, along with the recommendations of the office of program planning and fiscal management and the department of general administration concerning technical feasibility, schedules for the release of funds by project increments, and other pertinent concerns regarding capital projects approved in this act.

For the purposes of this section:

"Master plan" includes, but is not limited to, identification and analysis of present institutional programs and a minimum five year projection thereof; identification and categorization of current physical facilities and an analysis of effectiveness of utilization; an analysis of match between program and necessary physical facilities based on objective standards as developed by appropriate state agencies; and recommendations for sale, purchase, demolition, expansion, renovation, replacement, or relocation of facilities.

"Program plan" relates to a specific project or facility and shall include, but is not limited to, an inventory of amounts and types of space currently available; an analysis of amounts, types, and relative locations of space required for current programs as determined by use of accepted state space standards; an analysis of projected programs and space required; and, if a change in facilities is justified from analysis, recommendations for demolition, remodeling, or construction.

"Physical plan" includes survey and site investigation and architectural and engineering designs.

"Construction" includes detailed budgets and realistic schedules for project implementation.

NEW SECTION. Sec. 3. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

	Reappropiations	From the Fund Designated
(1) Complete construction of Office Building No. 2, remodeling of Executive Mansion and Insurance Building, structural renovation of Legislative Building, and design Executive Office Building (10,040,000)		
General Fund	50,000	
State Building Construction Account	9,990,000	
(2) Install central chiller plant, air conditioning, and remodel legislative facilities		
State Building Construction Account	1,836,000	
(3) Remodeling and maintenance required on Capitol Campus buildings and grounds (1,271,120)		
Capitol Building Construction Account	300,000	971,120
(4) Continuing maintenance of Deschutes Basin, dam, and area landscaping (35,500)		
Capitol Building Construction Account	5,000	30,500
(5) Acquisition, development and improvements of lands, improvements and facilities within the East Capitol Site		
Capitol Purchase and Development Account	100,000	
(6) Remodel and repair of elective officials offices		

Capitol Building Construction Account	86,000	
(7) Remodel State Capitol Museum building (66,500) Capitol Building Construction Account	5,000	61,500
(8) Capitol campus master plan (100,000) Capitol Building Construction Account	50,000	50,000
(9) Complete construction of Insurance Building renovation, Legislative Building structural repairs, and West Campus chilled water plant Capitol Building Construction Account		2,640,487
(10) Revised Oil Delivery and Storage Facility Capitol Building Construction Account		124,276
(11) Landscape plaza surrounding Office Building No. 2 State Building Construction Account		250,000
(12) Remodel campus buildings to ensure that all areas of the campus are accessible to the physically handicapped Capitol Building Construction Account		305,000
(13) Embankment repair north of Temple of Justice Capitol Building Construction Account		199,470
(14) Modification to computer area of Office Building No. 2 to include uninterruptable power system, security system, air conditioning and raised flooring State Building Construction Account		1,039,000
(15) Extension of central control and monitoring system of Office Building No. 2 to all campus buildings to provide monitoring of building utility and safety systems such as heating, cooling, fire alarms, and security Capitol Building Construction Account		563,060
(16) Study of all West Campus buildings to determine needed fire protection systems Capitol Building Construction Account		34,160
(17) Extend steam lines to Employment Security Building Capitol Building Construction Account		100,423
(18) Provision of additional funds to offset effects of unanticipated cost increases in air conditioning the Legislative Building State Building Construction Account		1,049,067
(19) Engineering planning and design of Capitol Lake rehabilitation State Building Construction Account		425,000
(20) Continuing development of recreation areas around Capitol Lake Capitol Building Construction Account		61,000
(21) Installation of air-conditioning system in General Administration Building Capitol Building Construction Account		160,000
(22) Replace heating and cooling coils and rearrange dampers in the Highways-Licenses Building, Employment Security Building and Archives Building Capitol Building Construction Account		288,092
(23) Renovate Old Capitol Building to conform to health and safety requirements of the Occupational Safety and Health Act, building and fire codes, and to provide access for the physically handicapped State Building Construction Account		3,580,416

NEW SECTION. Sec. 4. FOR THE MILITARY DEPARTMENT

	Reappropiations	From the Fund Designated
(1) Construct new armory--Aberdeen General Fund		296,950
(2) Construct, repair, remodel buildings and improve facilities General Fund	79,117	
(3) Schematic plans for future projects (19,866) General Fund	11,610	8,256
(4) Architectural and Engineering and other pre-construction work (48,592) General Fund	9,168	39,424
(5) Acquire Land for new Armory--Vancouver		

General Fund		50,000
(6) Construct new armory—Seattle Seattle Armory Fund	30,200	
(7) Construct new Armory—Ephrata General Fund		225,000
<u>NEW SECTION. Sec. 5. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
	Reappropiations	From the Fund Designated
(1) For the Adult Correction Program		
(a) Construct and equip Automotive Vocational Training Building—Washington State Penitentiary General Fund	89,400	
(b) Locking system for wing six—Washington State Penitentiary General Fund	8,310	
(c) Fire and safety improvements, Washington State Penitentiary General Fund		151,000
(d) Modification of existing laundry facilities, Washington State Reformatory CEP & RI Account		130,000
(e) Modernization of resident (inmate) living areas—Washington State Reformatory General Fund	477,751	
(f) Construct and equip Recreation Building—Purdy Treatment Center for Women General Fund		113,000
(g) Construct and equip new Women's Correctional Institution—Purdy Treatment Center for Women (17,229) General Fund	10,099	
CEP & RI Account	7,130	
(h) Renovate roofs, Washington Correction Center CEP & RI Account		150,000
(i) Construct and equip work release housing unit, Indian Ridge Treatment Center General Fund		155,250
(j) Dormitory, kitchen equipment, Larch Mountain Honor Camp General Fund		200,000
(k) Firland Correction Center DSHS Construction Account (HJR 52)		60,000
(2) For the Juvenile Rehabilitation Program		
(a) Secondary power supply, Naselle Youth Camp CEP & RI Account		35,515
(b) Construct and equip four residential living units, Naselle Youth Camp DSHS Construction Account (HJR 52)		1,458,000
(c) Remodel kitchen, Mission Creek Youth Camp General Fund		59,771
(d) Construct and equip treatment security unit, Maple Lane School State Building and Higher Education Construction Account	1,229	
(e) Construct and equip group home General Fund	24,763	
(f) Improvements to meet fire marshal recommendation at Green Hill School General Fund		70,136
(g) New roof on recreation building at Green Hill School General Fund		15,000
(3) For the Mental Health Program		
(a) Renovate bathrooms, Eastern State Hospital General Fund		40,000
(b) Construct and equip a 150-bed psychiatric hospital (Medical Lake): PROVIDED, That the design and construction of this facility shall be such that it may be expanded by further construction if added beds are required: PROVIDED FURTHER, That no currently		

existing structure at this facility shall be demolished as a result of this construction

DSHS Construction Account (HJR 52)	2,325,000
(c) Construct and equip Pharmacy and Central Supply Building, Western State Hospital CEP & RI Account	48,583
(d) Fire alarm and detection, Phase II, Western State Hospital General Fund	199,200
(e) Remodel and equip kitchen and dining room; construct Refrigeration Building, Western State Hospital CEP & RI Account	288,965
(f) Construct and equip a 350-bed psychiatric hospital (Steilacoom) DSHS Construction Account (HJR 52)	6,985,000
(g) Construct and equip one community health center DSHS Construction Account (HJR 52)	800,000
(4) For the Developmental Disabilities Program	
(a) Replace Redwood Hall, Fircrest School (10,064) General Fund	2,968
State Building and Higher Education Construction Account	7,096
(b) Construct and equip Activities Building, Fircrest School General Fund	3,337
(c) Construct a covered outdoor area, Interlake School General Fund	4,819
(d) Construct and equip an Instructional Services Building, Rainier School State Building and Higher Education Construction Account	16,649
(e) Renovation, Rainier School DSHS Construction Account (HJR 52)	2,766,432
(f) Upgrade utilities, Phase II, Rainier School General Fund	425,000
(g) Construct and equip dietary addition, Lakeland Village CEP & RI Account	160,433
(h) Construct lavatory facilities-residential halls, Lakeland Village CEP & RI Account	362,116
(i) Construct and equip a 225-bed developmental disabilities residential unit and construct and equip dietary addition, Phase II, Lakeland Village DSHS Construction Account (HJR 52)	4,816,271
(j) Repair of road and parking areas, Lakeland Village General Fund	137,780
(k) Repair floors, Lakeland Village General Fund	253,452
(l) Install new elevator, Yakima Valley School General Fund	134,540
(m) Kitchen renovation, School for the Blind General Fund	9,524
(n) Renovate kitchen, primary area, and Administration Building, School for the Blind General Fund	320,000
(o) Construct new commissary building at the School for the Blind General Fund	200,000
(p) Install fire alarms and smoke detectors for four cottages and the primary school at the School for the Blind General Fund	50,000
(q) Install exterior freight only elevator on the existing commissary building at the School for the Blind General Fund	12,500
(r) Construct and equip Advanced Classroom Building, School for the Deaf General Fund	493,921
(s) Construct a covered outdoor area, School for the Deaf	

General Fund	21,316	
(t) Remodel kitchen-dining room building at the School for the Deaf		
General Fund	61,287	
(u) Provide secondary source of power, School for the Deaf		
CEP & RI Account		43,680
(v) Provide fire and safety improvements, School for the Deaf		
General Fund		46,900
(w) Remodel superintendent's residence for Student Union Building, School for the Deaf		
CEP & RI Account		30,000
(x) Demolish Watson Hall at State School for the Deaf		
General Fund		44,000
(y) For site development and construction of a community educational facility for the developmentally disabled:		
PROVIDED, That the appropriation contained in this subsection is contingent upon acquisition of the former Nike-Ajax site from the Kent School District and department of health, education and welfare		
DSHS Construction Account (HJR 52)		300,000
(5) For Veterans' Services Program		
(a) Remodel and equip kitchen, Phase II, Soldiers' Home		
General Fund	340,849	
(b) Fire, safety, and health, Veterans' Homes		
Upgrade to fire, safety, and health standards, and construct a 100-bed nursing facility at the Veterans' Home and a 40-bed nursing addition at the Soldiers' Home and Colony. Facilities will meet state licensing standards (5,250,142)		
General Fund-State	369,927*	
DSHS Construction Account (HJR 52)		1,183,075
General Fund-Federal	1,300,000	2,197,140
CEP & RI Account	200,000	
*To be repaid from CEP & RI Account in the 1975-77 biennium.		
(c) Replace boilers, Veteran's Home (201,250)		
General Fund-State		130,800
General Fund-Federal		70,450
(6) General		
(a) Upgrade for fire and safety standards (Omnibus)		
To upgrade fire and safety standards per recommendation of the state fire marshal and safety inspectors and to provide a contingency fund for unanticipated capital needs and cost overruns		
General Fund	637,642	
(b) Repair and improve utilities-(Omnibus)		
Renovate water, electric, steam, and sewer lines; replace boilers, provide contingency fund for unanticipated needs and cost overruns (400,576)		
General Fund	397,884	
CEP & RI Account	2,692	
(c) Repair and improve facilities-(Omnibus)		
Provide for minor repairs to roofs, roads, parking areas, and buildings and provide contingency fund for unanticipated needs and cost overruns (1,057,210)		
General Fund	557,210	500,000
(d) Preplanning projects 1973-79		
General Fund	184,778	
(e) Social and Health Services Facilities (To be allocated for specific projects) (24,797,240)		
State and Local Improvement Revolving Fund	10,047,240	14,750,000
(f) Contingency Expense Fund		
DSHS Construction Account (HJR 52)		585,000

NEW SECTION. Sec. 6. FOR THE EMPLOYMENT SECURITY DEPARTMENT

Reappro-	From the
priations	Fund Designated

Improvement of existing central office buildings and necessary related costs: PROVIDED, That this appropriation shall be available only to the extent that federal funds under Section 903 of the Federal Social Security Act are made available for this purpose: PROVIDED FURTHER, That this appropriation is made pursuant to and is limited by provisions of section 903-C(2) of the Federal Social Security Act as amended: PROVIDED FURTHER, That any unexpended balance of said federal funds shall be promptly returned to the account of the State of Washington in the Unemployment Compensation Trust Fund as may be required by federal law or regulation

Unemployment Compensation Administration Fund 90,000  
NEW SECTION. Sec. 7. FOR THE DEPARTMENT OF ECOLOGY

	Reappropiations	From the Fund Designated
(1) For the construction of ground water observation wells State and Local Improvements Revolving Account—Water Supply Facilities as provided by chapter 128, Laws of 1972 ex. sess.		154,166
(2) Construct sewerage systems and waste disposal facilities in Twin Harbors, Dash Point, Lake Wenatchee, Bogachiel, Wenberg, Conconully, Kopachuck, Lake Easton, Bay View, Pearrygin Lake, Deception Pass, Yakima, Larrabee, Curlew Lake, Camano Island, Lake Osoyoos, Fay Bainbridge, Brooks Memorial, South Whidbey, Illahee, Mount Spokane, Horsethief Lake, Riverside and Lewis and Clark Trail state parks including but not limited to collector systems, treatment facilities, lift stations, trailer dumps and lagoons: PROVIDED, That prior to construction all system and facility plans and project specifications are approved by the Department of Ecology to assure compliance with state public health standards (1,883,600) State and Local Improvements Revolving Account—Waste Disposal Facilities as provided by Chapter 127, Laws of 1972 ex. sess.	1,443,500	440,100
(3) For construction of improved sewage and waste disposal facilities at existing department of social and health services facilities to meet established discharge requirements State and Local Improvements Revolving Account—Waste Disposal Facilities as provided by chapter 127, Laws of 1972 ex. sess.		1,050,000
(4) Construct water supply improvements in Sequim Bay, Beacon Rock, Twanoh, Potlatch, Lake Cushman, Old Fort Townsend, Deception Pass, Moran, Rockport, Mount Pilchuck, Brooks Memorial, Camp Wooten, Fields Spring, Ginkgo, Mount Spokane, Squilchuck, Sun Lakes (Dry Falls), Federation Forest and Fort Canby state parks: PROVIDED, That prior to construction all plans and specifications are approved by the Health Services Division of the Department of Social and Health Services to assure compliance with state public health standards State and Local Improvements Revolving Account—Water Supply Facilities as provided by Chapter 128, Laws of 1972, ex. sess.		694,000
(5) Connect to Gig Harbor sewage disposal unit—Purdy Treatment Center for Women State and Local Improvements Revolving Account—Waste Disposal Facilities as provided by chapter 127, Laws of 1972 ex. sess.		150,000

NEW SECTION. Sec. 8. FOR THE STATE PARKS AND RECREATION COMMISSION

	Reappropiations	From the Fund Designated
(1) Construct, repair, and improve state park facilities (878,093) General Fund	321,293	

Outdoor Recreation Account		556,800
(2) Schematics and pre-planning		
Outdoor Recreation Account		150,000
(3) Purchase and develop park sites, boating facilities, group camp facilities, and historical and archeological sites pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess.: PROVIDED, That the commission shall not purchase, acquire, or receive any abandoned state highway rights-of-way in the vicinity of ocean beaches, unless the commission currently owns highlands or lowlands abutting said rights-of-way (2,228,840)		
Outdoor Recreation Account	591,840	1,637,000
(4) Modernization and improvements at Fort Worden, Jarrell Cove, Rainbow Falls, Beacon Rock, Twanoh, Millersylvania, Twin Harbor, Penrose Point, Lake Cushman, Sequim Bay, Paradise Point, Deception Pass, Peace Arch, Nolte, Birch Bay, Fort Casey, Federation Forest, Camano Island, Moran, Mount Pilchuck, Moses Lake, Sacajawea, Lake Chelan, Alta Lake, Lake Wenatchee, Squilchuck, Fields Spring, Crawford, Fort Simcoe, Dosewallips, Seaquest, Dash Point, Larrabee, Central Ferry, Curlew Lake, and Steamboat Rock state parks pursuant to the provisions of section 4(3), chapter 129, Laws of 1972 ex. sess.: PROVIDED, That a joint study by the state parks and recreation commission and the office of program planning and fiscal management shall be conducted to determine (a) the total capital cost requirements of Fort Worden State Park; and (b) the cost difference between maintaining historical integrity of the buildings and using modern building techniques: PROVIDED FURTHER, That such a study shall be submitted to the standing ways and means committees by December 1, 1975 (5,829,950)		
State and Local Improvements Revolving Account—Public Recreation Facilities	1,060,000	4,769,950
(5) Purchase and develop park sites, boating facilities, group camp facilities, and historical and archeological sites (3,489,518)		
Outdoor Recreation Account	2,656,518	833,000
(6) Acquisition and development of areas for All-Terrain Vehicle utilization		
Outdoor Recreation Account		172,751
(7) Green River Gorge acquisition		
Outdoor Recreation Account		123,520
(8) Fort Canby development		
Outdoor Recreation Account		640,000
(9) Wallace Lake acquisition and development		
Outdoor Recreation Account		250,000

NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF FISHERIES

	Reappropriations	From the Fund Designated
(1) Construct and improve fish farms, rearing ponds, spawning channels, hatcheries, fishways and other fish facilities, purchase land and make emergency repairs to structures (8,879,185)		
General Fund—State	420,535	5,167,400
General Fund—Federal	620,300	2,670,950
(2) Acquisition and development of access facilities, boat launching facilities, fishing facilities, and tour facilities at hatcheries (1,062,689)		
Outdoor Recreation Account		497,000
Outdoor Recreation Account appropriation pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess.		565,689

NEW SECTION. Sec. 10. FOR THE DEPARTMENT OF GAME

	Reappropriations	From the Fund Designated
(1) Purchase, construct, improve and equip fish and game		

protective facilities, administrative facilities, buildings, hatcheries, game farm facilities, rearing ponds, and game range facilities (3,727,096)

Game Fund-State		1,160,848
Game Fund-Federal (Reimbursable)		2,179,648
Game Fund-Local (Reimbursable)		386,600
(2) Purchase and develop lands for outdoor recreation (3,405,500)		
Outdoor Recreation Account		472,500
Outdoor Recreation Account appropriation pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess.	2,308,000	625,000

NEW SECTION. Sec. 11. FOR THE DEPARTMENT OF NATURAL RESOURCES

	Reappropiations	From the Fund Designated
(1) Construct honor camp bridges and culverts, construct and equip honor camp facilities, administrative facilities, lookout towers, fire protective facilities, nursery facilities, and area offices (1,953,221)		
General Fund		145,000
Resource Management Cost Account	3,329	1,128,280
CEP & RI Account		676,612
(2) Purchase right-of-way, construct reclamation and timber access roads, construction irrigation systems, and other land development facilities and tideland facilities (12,492,770)		
Resource Management Cost Account	2,265,070	9,442,800
Forest Development Account	246,900	538,000
(3) Acquire and develop land for recreation uses including trails, scenic roads, shorelands, forest lands, ecological areas, and other areas managed by the Department (2,774,251)		
Outdoor Recreation Account	1,496,100	372,500
Outdoor Recreation Account appropriation pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess.	433,340	472,311
(4) Acquisition and construction of trails and sites for All-Terrain Vehicle utilization		
Outdoor Recreation Account		584,265

NEW SECTION. Sec. 12. FOR THE UNIVERSITY OF WASHINGTON

	Reappropiations	From the Fund Designated
(1) Construct and equip Phase II, renovation and provide working drawings for Phase III renovation of Bagley Hall (1,970,000)		
University of Washington Building Account	1,700,000	270,000
(2) Construct and equip space for Academic Computer Center		
State Building and Higher Education Construction Account	1,100,000	
(3) Construct and equip renovations to Gowen Hall		
University of Washington Building Account	1,144,186	
(4) Construct and equip renovations to Health Science complex (3,050,000)		
University of Washington Building Account	550,000	2,500,000
(5) Construct and equip renovations to Johnson Hall		
University of Washington Building Account	1,165,000	
(6) Construct and equip renovations to Moore Hall		
University of Washington Building Account	550,000	
(7) To provide working drawings for renovation to Smith Hall		
University of Washington Building Account	555,814	
(8) Construct and equip renovations and additions to teaching hospital (11,562,793)		
Building Authority Construction Account	3,562,793	8,000,000
(9) Provide preliminary design of 1977-79 projects		
University of Washington Building Account	70,000	
(10) Construct and equip renovations and extensions to utility systems and buildings (6,534,841)		



University of Washington Building Account	2,034,841	4,500,000
(11) Complete working drawings to finish basement of Kane Hall		
University of Washington Building Account		76,000
(12) Complete working drawings for classroom, office, and library space for social work		
University of Washington Building Account		356,000
(13) Complete working drawings on consolidated facilities for marine studies program		
University of Washington Building Account		400,000
(14) Provide preliminary design of gymnasium and locker room space addition to Edmundson Pavilion		
University of Washington Building Account		36,000
(15) Purchase and install color television equipment for KCTS-Channel 9		
University of Washington Building Account		1,500,000
(16) Provide preliminary design for Biology Instructional Facility		
University of Washington Building Account		318,000
<u>NEW SECTION. Sec. 13. FOR WASHINGTON STATE UNIVERSITY</u>		

	Reappropriations	From the Fund Designated
(1) Construct and equip teaching, research and office space for the biological sciences (9,199,400)		
State Higher Education Construction Account	8,889,000	
Washington State University Building Account		310,400
(2) Construct and equip library stack and reader space (5,536,700)		
Washington State University Building Account	2,594,700	
State Higher Education Construction Account	2,942,000	
(3) Construct and equip office and laboratory space for USDA and NWS		
Office/Laboratory Construction Account	1,800,000	
(4) Construct and equip renovation to Arts Hall, includes relocation of KWSU-TV transmitter and tower		
Washington State University Building Account	38,536	
(5) Provide preliminary design of 1977-79 capital projects		
Washington State University Building Account	61,000	
(6) Construct and equip major renovations to buildings, including implementation of safety standards (2,410,700)		
Washington State University Building Account	1,077,300	1,333,400
(7) Construct and equip modifications to utility production and distribution systems (1,965,700)		
Washington State University Building Account	865,700	1,100,000
(8) Working drawings for animal holding facilities on campus for teaching and research		
Washington State University Building Account		114,000
(9) Construct and equip renovation to Bryan Hall		
Washington State University Building Account	191,000	
(10) Working drawings for central warehouse and storage		
Washington State University Building Account		56,300
(11) Construct and equip classroom laboratories and office for veterinary sciences as well as laboratories for state animal diagnostic center (9,123,500)		
Washington State University Building Account	82,000	
State Higher Education Construction Account		9,041,500
(12) Working drawings for animal facilities at Hastings farm for teaching and research		
Washington State University Building Account		86,000

NEW SECTION. Sec. 14. FOR EASTERN WASHINGTON STATE COLLEGE

	Reappropriations	From the Fund Designated
(1) Construct and equip alterations and life safety improvements to facilities (300,000)		
Eastern Washington State College Capital Projects Account	40,000	260,000
(2) Construct and equip a special events structure (283,500)		

Eastern Washington State College Capital Projects Account	280,000	
State Higher Education Construction Account	3,500	
(3) Construct and equip renovations to Science and Isle buildings		
Eastern Washington State College Capital Projects Account	620,600	
(4) Construct and equip alterations to Martin Hall to meet health standards		
Eastern Washington State College Capital Projects Account	35,000	
(5) Construct Phase I of biological research laboratory and working drawings, Phase II		
Eastern Washington State College Capital Projects Account	7,000	
(6) Construct and equip utility loop system and implement safety improvements (908,000)		
Eastern Washington State College Capital Projects Account	50,000	858,000
(7) Complete working drawings for centralized maintenance shops		
Eastern Washington State College Capital Projects Account		45,000
(8) Complete landscaping and walkways, physical education complex		
Building Authority Construction Account	10,000	
(9) Complete preliminary design of plant services warehouse		
Eastern Washington State College Capital Projects Account		10,000
(10) Construct and equip fieldhouse portion of physical education complex		
State Higher Education Construction Account		2,456,600
(11) Complete working drawings on aquatics portion of physical education complex		
Eastern Washington State College Capital Projects Account		60,000

NEW SECTION. Sec. 15. FOR CENTRAL WASHINGTON STATE COLLEGE

	Reappropiations	From the Fund Designated
(1) Purchase land for new boiler plant site		
Central Washington State College Capital Projects Account	20,000	
(2) Construct and equip classrooms, offices and laboratories for Psychology (35,000)		
Central Washington State College Capital Projects Account	5,000	
State Building Authority Construction Account	30,000	
(3) Construct and equip reader, service, stack, classrooms and offices		
State Building and Higher Education Construction Account	250,000	
(4) Construct and equip boiler house and emergency generator		
Central Washington State College Capital Projects Account	25,000	
(5) Purchase and install utility distribution monitoring system		
Central Washington State College Capital Projects Account	20,000	
(6) Construct and equip alterations to facilities including safety standard implementation (461,500)		
Central Washington State College Capital Projects Account	1,500	460,000
(7) Complete pedestrian walks and landscape library/instruction complex construction site (69,000)		
Central Washington State College Capital Projects Account	5,000	64,000

(8) Construct and equip renovations to utility systems (819,500)		
Central Washington State College Capital Projects Account	334,500	485,000
(9) Complete preliminary design on 1977-79 projects including Barge Hall renovation (61,000)		
Central Washington State College Capital Projects Account	11,000	50,000
(10) Purchase and install boilers in new boiler house State Higher Education Construction Account	1,840,900	
(11) Purchase and install moveable equipment for new library		
Central Washington State College Capital Projects Account		100,000
(12) Complete working drawings for physical education office, classroom, and recreation building		
Central Washington State College Capital Projects Account		142,000
(13) Complete working drawings for replacement greenhouse		
Central Washington State College Capital Projects Account		20,000
(14) Complete working drawings for remodeling of Bouillion Library		
Central Washington State College Capital Projects Account		54,000
(15) Complete working drawings for remodeling to house theatre and drama facilities		
Central Washington State College Capital Projects Account		127,000

NEW SECTION. Sec. 16. FOR THE EVERGREEN STATE COLLEGE

	Reappro- priations	From the Fund Designated
(1) Construct and equip laboratory and office building State Higher Education Construction Account	4,500,000	
(2) Construct and equip Seminar Building, Phase I (163,000)		
State Building and Higher Education Construction Account	81,000	
General Fund	82,000	
(3) Site improvements and utilities expansion The Evergreen State College Capital Projects Account	65,000	
(4) Clear, grade, and complete college parkway The Evergreen State College Capital Projects Account	80,000	
(5) Construct and equip Communications Arts Laboratory (5,800,000)		
The Evergreen State College Capital Projects Account	800,000	
State Higher Education Construction Account	5,000,000	
(6) Clear, grade, pave, and complete road intersection and minor landscaping		
The Evergreen State College Capital Projects Account	40,000	
(7) Construct and equip science laboratories, Phase I State Building Authority Construction Account	35,000	
(8) Complete essential storm drainage, electrical and water supply system improvements		
State Higher Education Construction Account		125,000

NEW SECTION. Sec. 17. FOR WESTERN WASHINGTON STATE COLLEGE

	Reappro- priations	From the Fund Designated
(1) Purchase land for academic service and recreation Western Washington State College Capital Projects Account	171,485	
(2) Preliminary design of 1977-79 requested projects (36,891)		
Western Washington State College Capital Projects Account	25,430	
State Higher Education Construction Account	11,461	
(3) Moveable equipment for academic buildings		

Western Washington State College Capital Projects Account	22,150	
(4) Construct and equip utility system expansion and repairs (2,129,040)		
General Fund-State	103,295	
Western Washington State College Capital Projects Account	645,745	1,380,000
(5) Construct and equip renovations to facilities (357,664)		
General Fund-State	43,060	
Western Washington State College Capital Projects Account	208,604	106,000
(6) Construct and equip Arts Building addition		
Western Washington State College Capital Projects Account	22,579	
(7) Construct and equip social science classrooms, offices and laboratories		
Western Washington State College Capital Projects Account	1,226	
(8) Construct and equip marine laboratory (57,104)		
State Building Authority Construction Account	34,437	
State Higher Education Construction Account	22,667	
(9) Construct and equip addition to heating plant		
State Building Authority Construction Account	5,812	
(10) Construct and equip science program classrooms, offices and laboratories		
State Building Authority Construction Account	117,416	
(11) Construct and equip new and remodeled space for technology and home economics		
State Higher Education Construction Account	1,799,093	
(12) Construct and equip Phase II renovations to Old Main (3,455,583)		
State Higher Education Construction Account	2,705,583	750,000
(13) Construct and equip alterations to buildings to implement safety standards		
Western Washington State College Capital Projects Account		250,000
(14) Complete construction and equip Phase I renovation of Old Main		
Western Washington State College Capital Projects Account	109,250	
(15) Provide working drawings for campus warehouse and maintenance shops		
Western Washington State College Capital Projects Account		122,000
(16) Provide working drawings for completion of interior of auditorium/music addition		
Western Washington State College Capital Projects Account		92,000
(17) Provide working drawings for essential recreation fields and landscaping		
Western Washington State College Capital Projects Account		107,000

NEW SECTION. Sec. 18. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

	Reappropiations	From the Fund Designated
(1) For the payment of relocatable facilities and equipping technology programs on the south campus of the Seattle Community College: PROVIDED, That the Director of the Office of Program Planning and Fiscal Management may allocate from this appropriation no more than shall be realized from the pending sale of the real property and improvements thereto known as the Holgate branch of the Seattle Community College		
General Fund-State	159,242	
(2) Construction, repairs, remodeling, land acquisition, equipment, and other capital improvements for Seattle Community College: PROVIDED, That the source of		

funds for this appropriation be from the sale of the following described real property and any fixtures thereon: All of Block numbered 11 of Hill Tract Addition to the City of Seattle, King County, Washington; bounded on the East by 19th Avenue, on the South by Main Street, on the West by 18th Avenue, and on the North by the imaginary center line of Washington Street, extended Easterly to its intersection with 19th Avenue

General Fund-State	857,600	
(3) For construction, repairs, remodeling, equipment, and other capital improvements at Peninsula community college		
General Fund-State	10,313	
(4) Construction, design, remodeling, conversion, land acquisition, renovation, alteration, and working drawings of vocational, academic, and other community college facilities (34,858,524)		
Community College Capital Projects Account	13,020,624	
Community College Capital Improvements Account	21,837,900	
(5) Emergency capital repairs (864,000)		
Community College Capital Projects Account	364,000	
Community College Capital Construction Account		500,000
(6) Construct and equip alterations and renovations that will abate hazardous conditions		
Community College Capital Construction Account		877,000
(7) Purchase, install, equip, and administer a pool of relocatable facilities (349,000)		
Community College Capital Projects Account	24,000	
Community college Capital Construction Account		325,000
(8) Construct and equip alterations that will correct deficiency conditions in existing facilities		
Community College Capital Construction Account		696,000
(9) Construct and equip vocational instruction, office, and learning resource facilities and remodel facilities at Spokane Community college (11,889,000)		
Community College Capital Improvements Account		1,622,565
Community College Capital Construction Account		10,266,435
(10) Construct and equip vocational instruction and office facilities and remodel for learning resource facilities at Green River Community College		
Community College Capital Improvements Account		1,240,000
(11) Construct and equip vocational instruction, learning resource, and remodel facilities at Lower Columbia Community College		
Community College Capital Improvements Account		2,653,000
(12) Construct and equip vocational and science instruction, office and remodel facilities at Everett Community College		
Community College Capital Improvements Account		2,193,000
(13) Construct and equip vocational instruction, learning resources, and dining facilities and remodel facilities at Peninsula Community College		
Community College Capital Improvements Account		692,000
(14) Construct and equip addition to learning resource center, classroom/office building and complete science laboratories at Shoreline Community College		
Community College Capital Improvements Account		1,706,000
(15) Construct and equip student center and remodel existing space for offices at Columbia Basin Community College		
Community College Capital Improvements Account		1,655,000
(16) Construct and equip a student center, offices, and an addition to the library at Spokane Falls Community College		
Community College Capital Improvements Account		3,656,000
(17) Construct and equip vocational instruction space at South Seattle Community College		
Community College Capital Improvements Account		673,000

(18) Construct and equip dining and student activity facilities at Fort Steilacoom Community College Community College Capital Improvements Account	1,142,000
(19) Construct and equip addition to dining and student activity areas and remodel existing space at Yakima Valley College Community College Capital Improvements Account	579,000
(20) Construct and equip physical education, science laboratory, and dining facilities at Edmonds Community College Community College Capital Improvements Account	2,805,000
(21) Construct and equip learning resource center and remodel existing space at Olympic Community College Community College Capital Improvements Account	1,489,000
(22) Construct and equip student activity facility at Walla Walla Community College Community College Capital Improvements Account	528,000
(23) Working drawings for new learning resource center, central storage and remodeling of existing facilities at Highline Community College Community College Capital Construction Account	277,000
(24) Working drawings for addition to learning resource center and structural improvements at Clark Community College Community College Capital Construction Account	44,000
(25) Working drawings for utility distribution tunnels at Highline Community College Community College Capital Construction Account	61,000
(26) Working drawings for fine arts and office space in Old Broadway High School auditorium at Central Seattle Community College Community College Capital Construction Account	116,000
(27) Working drawings for repairs to Ehret Hall at Centralia Community College Community College Capital Construction Account	24,000
(28) Working drawings for instruction space for music at Shoreline Community College Community College Capital Construction Account	40,000
(29) Working drawings for learning resource center, vocational, fine arts, and skills lab instructions space as well as storage and student activity space at South Seattle Community College Community College Capital Construction Account	213,000
(30) Working drawings for maintenance shops and water mains at Green River Community College Community College Capital Construction Account	80,000
(31) Working drawings for alterations to Art and Music Building for handicapped students at Olympic Community College Community College Capital Construction Account	14,000
(32) Working drawings for greenhouse and science laboratory at Everett Community College Community College Capital Construction Account	5,000
(33) Working drawings for renovations to vocational facilities at Clark Community College Community College Capital Construction Account	31,000
(34) Working drawings for flight planning program facilities at Big Bend Community College Community College Capital Construction Account	4,000
(35) Working drawings for vocational office, and storage space at Lower Columbia Community College Community College Capital Construction Account	82,000
(36) Working drawings for converting dormitory space to offices at Olympic Community College Community College Capital Construction Account	5,000
(37) Working drawings for welding laboratories and storage space at Everett Community College Community College Capital Construction Account	14,000

(38) Working drawings for geology laboratory at Highline Community College Community College Capital Construction Account		6,000
(39) Construct and equip health, physical education, and recreation facility at Walla Walla community college. The proceeds from the sale of the old physical education facility shall provide an additional source of funds for the project contained in this subsection Community College Capital Construction Account		600,000
(40) Preplanning for the 1977-79 capital budget request Community College Capital Construction Account		65,000
<b>NEW SECTION. Sec. 19. FOR THE BOARD OF EDUCATION-SUPERINTENDENT OF PUBLIC INSTRUCTION</b>		

	Reappro- priations	From the Fund Designated
Public school building planning, construction, remodeling and demolitions: PROVIDED, That an amount not to exceed \$205,000 shall be utilized to fund the school buildings systems study as directed by RCW 28A.04.310: PROVIDED FURTHER, That funds appropriated in this section shall not be expended for either planning or construction of occupational skill centers (172,835,085) Common School Building Construction Account	3,900,000	
Common School Construction Fund	49,612,893	119,322,192
<b>NEW SECTION. Sec. 20. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY</b>		

	Reappro- priations	From the Fund Designated
(1) Pave parking lot on land donated to the Society General Fund	6,800	
(2) Replace roof on main museum building General Fund-State Building Construction Account		12,000
<b>NEW SECTION. Sec. 21. FOR THE STATE PATROL</b>		

	Reappro- priations	From the Motor Vehicle Fund
(1) Relocation of existing weigh stations (228,900) Motor Vehicle Fund	214,900	14,000
(2) Construct radio relay station-Green/Gold mountain (50,750) Motor Vehicle Fund	34,750	16,000
(3) Land Acquisition for radio relay station-Columbia river Motor Vehicle Fund	50,000	
(4) Site development and construction radio relay stations-North Cross Highway Motor Vehicle Fund	150,000	
(5) Construct warehouse-Bellevue Motor Vehicle Fund	325,000	
(6) Construct detachment office-Ellensburg Motor Vehicle Fund	10,660	
(7) Purchase and renovation of building for detachment office-Moses Lake		75,000
(8) Land acquisition and construction-radio relay station-Pomeroy		40,000
(9) Land acquisition for radio relay station-Clarkston		10,000
(10) Land acquisition for radio relay station-Colville		10,000
(11) Construct addition-Patrol Academy		50,000
(12) Improvements-Detachment office-Kelso		10,000
(13) Improvements-Detachment office-Chehalis		10,000
(14) Repair of existing facilities		100,000
(15) Replace auxiliary power plants		18,500

**NEW SECTION. Sec. 22.** The departments of social and health services and general administration shall give primary consideration in both the design and construction of new facilities to: (1) The use of solar energy and other natural and appurtenant heat sources; and (2) the architectural means of exploiting such heat sources. The intent of the requirement imposed by this section is to reduce the state's reliance on the continued use of fossil fuels as a primary energy source and thereby reduce the long term operating

costs of new state facilities. The departments shall submit a joint report to both the governor and legislature on the results of the implementation of this section. Such report shall be presented to the next regular session of the legislature for its consideration.

**NEW SECTION.** Sec. 23. During the 1975-77 biennium the state parks and recreation commission shall make no contractual agreements or receive any donation of real property or an interest therein which commits the commission to either assuming on a current basis or to requesting funds at a future time for development or acquisition costs without prior approval of the legislative budget committee.

**NEW SECTION.** Sec. 24. The words "capital improvements" or "capital projects" used herein shall mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

**NEW SECTION.** Sec. 25. Before a capital project shall begin or an obligation is incurred or a contract entered into, the director of the office of program planning and fiscal management, with the approval of the governor and in compliance with section 2 of this act, shall first allot funds therefor or so much as may be necessary from the appropriation made herein.

**NEW SECTION.** Sec. 26. Additional federal or other receipts and gifts and grants in excess of those estimated in the budget may be allotted by the governor for capital projects included in the capital budget. In addition, the governor may receive and allot any federal funds made available for capital outlay at any one of the six four year institutions of higher education. Whenever possible, funds from other available sources shall be used to finance projects for which general fund appropriations are made in this act.

**NEW SECTION.** Sec. 27. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering and construction and other related activities to any appropriate agency.

**NEW SECTION.** Sec. 28. Reappropriations shall be limited to the unexpended balances remaining June 30, 1975, in the current appropriation for each project.

**NEW SECTION.** Sec. 29. The governor, through the director of the office of program planning and fiscal management, may authorize a transfer of funds appropriated for a capital project in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient only within the department of social and health services, or between appropriations for a specific department, commission or institution of higher education. No such transfer shall be used to expand the capacity of any facility beyond that anticipated by the legislature in making the appropriation. A report of any transfer effected under this section shall be filed with the legislative auditor for transmittal to the legislative budget committee by the director of the office of program planning and fiscal management within thirty days of the date the transfer is effected.

**NEW SECTION.** Sec. 30. Any capital improvement or capital project for construction, repair or maintenance authorized by this act, unless constructed, pursuant to the provisions of chapter 39.04 RCW, shall be done by contract after public notice and competitive bid: PROVIDED, That this section shall not apply to the acquisition of sites, easements, or rights of way; nor to contracts for architectural or engineering services; nor to emergency repairs; nor to any improvement or project costing less than twenty-five hundred dollars; nor to portions of projects involving inmate labor at a state institution: PROVIDED FURTHER, That it is the intent of the legislature that in any decision to contract for capital projects funded as the result of this act, full and fair consideration shall be given to minority contractors.

**NEW SECTION.** Sec. 31. This 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Bagnariol moved that the House do not concur in the Senate amendment to Engrossed Substitute House Bill No. 206 and ask the Senate for a conference thereon.

Mr. Tilly moved that the House do concur in the Senate amendment.

Mr. Tilly spoke in favor of the motion to concur, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to Engrossed Substitute House Bill No. 206, and the motion was lost by the following vote: Yeas, 30; nays, 62; not voting, 6.

Voting yea: Representatives Berentson, Bond, Chandler, Curtis, Deccio, Dunlap, Freeman, Gilleland, Greengo, Haley, Hansey, Hawkins, Hayner, Jueling, Kuehne, Leckenby, Lee, Matthews, Maxie, Nelson, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger,



Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Brown, Eikenberry, Kilbury, Luders, Williams.

On motion of Mr. Bagnariol, the House requested the Senate for a conference on Engrossed Substitute House Bill No. 206.

#### SENATE AMENDMENTS TO HOUSE BILL

May 16, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 972 with the following amendments:

On page 1, line 13 of the engrossed bill, being the Shinpoch amendment to page 1, line 13 strike "thirty-four million, eight hundred six thousand, two hundred and sixty" and insert "twenty-two million"

On page 2, line 32 before "bond" strike "facilities" and insert "construction" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Shinpoch moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 972, and ask the Senate for a conference thereon.

Representatives Shinpoch and Polk spoke in favor of the motion, and it was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

May 16, 1975

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1146 with the following amendments:

On line 7 of the title after "thereof;" strike all of the material down to and including "1977," on line 9.

On page 1, line 17 after "of" and before "thousand" strike "eleven million six hundred fifty" and insert "twelve million four hundred"

On page 1, line 19 after "finance" and before ", to" strike "said capital projects as listed in section 8 of this act" and insert "the capital projects relating to institutions of higher education as determined by the legislature in its capital appropriations act, Chapter . . . , Laws of 1975 (ESHB 206), for such purposes."

On page 3, strike all of section 8 and renumber the remaining sections consecutively. and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Shinpoch, the House refused to concur in the Senate amendments to Second Substitute House Bill No. 1146, and asked the Senate for a conference thereon.

#### SENATE AMENDMENTS TO HOUSE BILL

May 16, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1143 with the following amendments:

On line 6 of the title, beginning with "making" strike all the material down through "1977" on line 8.

On page 1, line 28 of the engrossed bill, being line 29 of the printed bill, after "projects" strike all the material down through "act" on line 29 of the engrossed bill, being line 30 of the printed bill, and insert "as determined by the legislature in its capital appropriations act, Chapter . . . , Laws of 1975 (ESHB 206)"

On page 2, line 5 of the engrossed bill, being line 2 of the printed bill, after "million" and before "thousand" on line 6 of the engrossed bill, being line 3 of the printed bill, strike "four hundred and eighty-six" and insert "five hundred and ten"

On page 2, line 35 of the engrossed bill, being line 32 of the printed bill, before "proceeds" strike "All" and insert "Subject to legislative appropriation, all"

On page 4, strike all of section 11 and renumber the remaining sections consecutively. and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Shinpoch, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 1143, and asked the Senate for a conference thereon.

## SENATE AMENDMENTS TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 305 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 12, Laws of 1961 and to chapter 46.16 RCW a new section to read as follows:

(1) The term "registration year" for the purposes of chapters 46.16, 82.44, and 82.50 RCW shall mean the effective period of a vehicle license issued by the department. Such year shall commence at 12:01 a.m. on the date of the calendar year designated by the department and shall end at 12:01 a.m. on the same date of the next succeeding calendar year.

(2) Each registration year may be divided into twelve registration months. Each registration month shall commence on the day numerically corresponding to the day of the calendar month on which the registration year begins, and shall terminate on the numerically corresponding day of the next succeeding calendar month.

(3) Each registration year may be divided into four registration quarters, each consisting of three registration months. The first quarter shall commence with registration month one.

(4) Where the term "last day of the month" is utilized in chapters 46.16, 82.44, and 82.50 RCW in lieu of a specified day of any calendar month it shall mean the last day of such calendar month or months irrespective of the numerical designation of that day.

(5) In the event the final day of a registration year, quarter, or month falls on a Saturday, Sunday, or legal holiday, such period shall extend through the end of the next business day.

NEW SECTION. Sec. 2. There is added to chapter 12, Laws of 1961 and to chapter 46.16 RCW a new sections to read is follows:

Notwithstanding any provision of law to the contrary, the director of the department of motor vehicles may extend or diminish vehicle license registration periods for the purpose of staggering renewal periods. Such extension or diminishment of a vehicle license registration period shall be by rule and regulation of the department of motor vehicles adopted in accordance with the provisions of chapter 34.04 RCW. Such rules may provide for the omission of any classes or classifications of vehicle from the staggered renewal system and may provide for the gradual introduction of classes or classifications of vehicles into such a system. Such rules and regulations shall provide for the collection of proportionately increased or decreased vehicle license registration fees, including tonnage fees, if applicable, and of excise or property taxes required to be paid at the time of registration.

It is the intent of the legislature that there shall be neither a significant net gain nor loss of revenue to the state general fund or the motor vehicle fund as the result of implementing a staggered vehicle registration system when compared with the revenue generated by the current registration system.

Sec. 3. Section 46.16.060, chapter 12, Laws of 1961 as last amended by section 3, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.060 are each amended to read as follows:

Except as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected annually for each (~~calendar~~) registration year or fractional part thereof and upon each vehicle a license fee or, if the vehicle was previously licensed in this state and has not been registered in another jurisdiction in the intervening period, a renewal license fee. Such license fee shall be in the sum of thirteen dollars and forty cents, and such renewal fee shall be in the sum of nine dollars and forty cents: PROVIDED, HOWEVER, That the fee for licensing each house moving dolly which is used exclusively for moving buildings or homes on the highway under special permit as provided for in chapter 46.44 RCW, shall be twenty-five dollars and no other fee shall be charged for the load carried thereon.

Sec. 4. Section 46.16.065, chapter 12, Laws of 1961 as amended by section 10, chapter 7, Laws of 1961 ex. sess. and RCW 46.16.065 are each amended to read as follows:

In lieu of the fees provided in RCW 46.16.060, private passenger car one or two-wheel trailers of two thousand pounds gross weight or less, may be licensed upon the payment of a license fee in the sum of four dollars and fifty cents or, if the vehicle was previously licensed in this state and has not been registered in another jurisdiction in the intervening period, a renewal license fee in the sum of three dollars and twenty-five cents, but only if such trailers are to be operated upon the public highway by the owners thereof. It is the intention of the legislature that this reduced license shall be issued only as to trailers operated for personal use of the owners and not trailers held for rental to the public.

Sec. 5. Section 46.16.130, chapter 12, Laws of 1961 and RCW 46.16.130 are each amended to read as follows:

Whenever an application is made for a license on a motor truck, trailer, tractor, semitrailer, for hire vehicle, bus or auto stage subsequent to (~~March thirty-first of any calendar~~) the end of the first registration quarter of any registration year, the license fees based on gross weight or seating capacity of such vehicles shall be computed as follows:

Upon (~~motor~~) vehicles above described licensed in this state (~~after March thirty-first of any year, but before July first~~) during the second registration quarter, the license fees imposed by this section for such year shall be reduced by one-fourth thereof; upon vehicles licensed in this state (~~after June thirtieth of any year, but before October first~~) during the third registration quarter, the license fees shall be reduced by one-half thereof; and upon vehicles licensed in this state (~~after September thirtieth of any year~~) during

the fourth registration quarter, the license fees shall be reduced by three-fourths thereof: PROVIDED, That such reductions shall not apply to special permits nor to vehicles licensed during the immediately preceding registration year.

Sec. 6. Section 46.16.135, chapter 12, Laws of 1961 as amended by section 7, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.135 are each amended to read as follows:

Tonnage for motor trucks, trailers, tractors, pole trailers, or semitrailers having a declared gross weight in excess of twenty thousand pounds may be purchased for (~~quarterly periods ending on March 31st, June 30th, September 30th, and December 31st~~) any registration quarter at one-fourth of the usual annual tonnage fee: PROVIDED, That the fee for the registration quarter in which the vehicle is licensed shall be reduced by one-twelfth of the usual tonnage fee for each full (~~calendar~~) registration month of the registration quarter that shall have elapsed at the time the vehicle is licensed. An additional fee of one dollar shall be charged by the director each time tonnage is purchased. The director is authorized to establish rules and regulations relative to the issuance and display of certificates or insignia.

No vehicle licensed under the provisions of this section shall be operated over the public highways unless the owner or operator renews the quarterly tonnage (~~within ten days after~~) permit prior to the expiration of the existing tonnage permit. Any person who operates any such vehicle upon the public highways after the expiration of (~~said ten days~~) the existing tonnage permit, shall be guilty of a misdemeanor, and in addition shall be required to purchase a tonnage permit for the vehicle involved at the fee covering an entire registration year's operation thereof, less the fees for any registration quarter or registration quarters of the registration year already paid. If, within five days thereafter, no license for a full registration year has been purchased as required aforesaid, the Washington state patrol, county sheriff, or city police shall impound such vehicle in such manner as may be directed for such cases by the chief of the Washington state patrol, until such requirement is met.

Sec. 7. Section 46.16.137, chapter 12, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1974 ex. sess. and RCW 46.16.137 are each amended to read as follows:

During the months of October, November, December, January, February, and March the gross weight license for a three-axle truck, a three-axle truck tractor and a two-axle pole trailer used in combination, and a three-axle truck and two-axle trailer used in combination, when such vehicles or combinations of vehicles are licensed to the maximum gross weight provided by law and are used exclusively in the transportation of logs may be purchased for a monthly period. The fee for such a monthly license shall be one-twelfth the annual maximum gross weight fee provided for in RCW 46.16.070 and 46.16.111 or in RCW 46.16.070 and 46.16.115. For each fee so paid, other than at the time of the payment of the basic license fee, an additional fee of one dollar and fifty cents shall be charged by the director. The monthly license shall be effective (~~from the first day of the month in which it is purchased, through the last day of that calendar~~) for one entire registration month. The director or his authorized agent shall issue a permit (~~(stating the month for which the vehicle is licensed)~~) indicating that monthly tonnage fees have been paid, which permit shall be carried in the vehicle throughout the registration month for which it is issued. The director is authorized to establish rules and regulations relative to the issuance of such permits. No vehicle licensed under the provisions of this section shall be operated over the public highways unless the owner or operator thereof (~~within five days after~~) prior to the expiration of any such monthly period applies for, and pays the required fee for, a license for an additional monthly period, a three-month period, or for the remainder of the registration year. Any person who operates any such vehicle upon the public highways after the expiration of (~~said five days~~) the existing tonnage permit, shall be guilty of a misdemeanor, and in addition shall be required to purchase a gross weight license for the vehicle involved at the fee covering an entire registration year's license for operation thereof, less the fees for any period or periods of the registration year already paid. If, within five days thereafter, no license for a full registration year has been purchased as required aforesaid, the Washington state patrol, county sheriff, or city police shall impound such vehicle in such manner as may be directed for such cases by the chief of the Washington state patrol, until such requirement is met.

Sec. 8. Section 46.16.210, chapter 12, Laws of 1961 as amended by section 1, chapter 75, Laws of 1969 ex. sess. and RCW 46.16.210 are each amended to read as follows:

(1) Upon receipt of the application and proper fee for original vehicle license, the director shall make a recheck of the application, and in the event that there is any error in the application it may be returned to the county auditor or other agent to effectively secure the correction of such error, who shall return the same corrected to the director.

(2) Application for the renewal of a vehicle license shall be made to the director or his agents, including county auditors, by the registered owner on a form prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vehicle was registered in Washington unless the applicant submits a preprinted application mailed from Olympia, and the payment of such license fees and excise tax as may be required by law. Such application shall be handled in the same manner and the fees transmitted to the state treasurer in the same manner as in the case of an original application. Any such application which upon validation becomes a renewal certificate need not have entered upon it the name of the lien holder, if any, of the vehicle concerned.

(3) Persons expecting to be out of the state during the normal forty-five day renewal period (~~(from January 1st through February 1st may, not earlier than December 1st, but prior to January 1st)~~) of a vehicle license may secure renewal of (~~(a)~~) such vehicle license for a period of thirty days prior thereto and have license plates or tabs preissued by making application to the director or his agents upon forms prescribed by the director. The application must be accompanied by the certificate of registration for the last

registration period in which the vehicle was registered in Washington and be accompanied by such license fees, including a special handling fee of ~~((one dollar, fifty cents))~~ two dollars; one dollar to be retained by the issuing agency, and ~~((fifty cents))~~ one dollar to be deposited in the highway safety fund, and excise tax as may be required by law.

Sec. 9. Section 46.16.220, chapter 12, Laws of 1961 as amended by section 9, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.220 are each amended to read as follows:

Vehicle licenses and vehicle license number plates may be ~~((issued))~~ renewed for the ~~((current))~~ subsequent registration ~~((licensing period))~~ year on and after the ~~((first))~~ forty-fifth day ~~((thereof))~~ prior to the end of the current registration year and must be used and displayed from the date of issue or from the ~~((thirty-fifth))~~ day ~~((after))~~ of the expiration of the preceding ~~((licensing period))~~ registration year, whichever date is later: PROVIDED, That in no case shall a citation be issued for nonregistration prior to the first day of the month following the calendar month in which vehicle licenses and vehicle license number plates are to be renewed.

Sec. 10. Section 46.16.320, chapter 12, Laws of 1961 as last amended by section 1, chapter 206, Laws of 1969 ex. sess. and RCW 46.16.320 are each amended to read as follows:

Every person having a valid official amateur radio operator's license issued for a term of five years by the federal communications commission, is entitled to apply to the director for, and upon satisfactory showing, to receive, in lieu of the regular motor vehicle license plates similar plates bearing the official amateur radio call letters of the applicant assigned by the federal communications commission instead of numbers.

In addition to the annual license fee collected under chapter 46.16 RCW and chapter 82.44 RCW, there shall be collected from each applicant for such special license plates an additional license fee of five dollars upon the issue of a state plate but shall not apply on those years that a yearly tab is issued. Such special fee shall be deposited in the motor vehicle fund. Application for renewal of the amateur radio operator's call license plate must be made ~~((by January 10th of each renewal))~~ no later than twenty days prior to the end of each registration year, and all such applications shall be accompanied by a notarized statement of facts included on the amateur's valid FCC license.

Sec. 11. Section 7, chapter 231, Laws of 1971 ex. sess. as amended by section 1, chapter 41, Laws of 1975 and RCW 46.16.505 are each amended to read as follows:

It shall be unlawful for a person to operate any vehicle equipped with a camper over and along a public highway of this state without first having obtained and having in full force and effect a current and proper camper license and displaying a camper license number plate therefor as required by law: PROVIDED, HOWEVER, That if a camper is part of the inventory of a manufacturer or dealer and is unoccupied at all times, and a dated demonstration permit, valid for no more than seventy-two hours is carried in the motor vehicle at all times it is operated by any such individual, such camper may be demonstrated if carried upon an appropriately licensed vehicle.

Application for an original camper license shall be made on a form furnished for the purpose by the director. Such application shall be made by the owner of the camper or his duly authorized agent over the signature of such owner or agent, and he shall certify that the statements therein are true and to the best of his knowledge. The application must show:

- (1) Name and address of the owner of the camper;
- (2) Trade name of the camper, model, year, and the serial number thereof;
- (3) Such other information as the director requires.

There shall be paid and collected annually for each ~~((calendar))~~ registration year or fractional part thereof and upon each camper a license fee or, if the camper was previously licensed in this state and has not been registered in another jurisdiction in the intervening period, a renewal license fee. Such license fee shall be in the sum of four dollars and ninety cents, and such renewal license fee shall be in the sum of three dollars and fifty cents.

Except as otherwise provided for in this section, the provisions of chapter 46.16 RCW shall apply to campers in the same manner as they apply to vehicles.

Sec. 12. Section 82.44.040, chapter 15, Laws of 1961 and RCW 82.44.040 are each amended to read as follows:

(1) The ~~((commission and association of county assessors of the state))~~ department of revenue, in consultation with the department of motor vehicles shall prepare ~~((and, on or before December 1st of each year, furnish to the county auditor of each county in the state))~~ at least once each year a schedule for use in the collection of the excise tax imposed by this chapter. Such schedule shall be based upon such information as may be available to them pertaining to the fair market value of motor vehicles. Such vehicles shall be classified ~~((therein))~~ into a convenient number of classes on the basis of price, make, type, year of manufacture, or any other reasonable basis, and to the value of vehicles within the classes as thus determined shall be applied the rate of tax prescribed in RCW 82.44.020. In determining fair market value, the ~~((commission and county assessors))~~ department of revenue may use any guidebook, report, or compendium of recognized standing in the automotive industry. The schedule shall show, so far as possible, the amount of excise tax for vehicles within each class and shall sufficiently describe the various motor vehicles included within each classification to enable the ~~((county auditor))~~ department of motor vehicles and its agents to ascertain readily the amount of tax applicable to any particular motor vehicle.

Sec. 13. Section 52, chapter 299, Laws of 1971 ex. sess. and RCW 82.44.045 are each amended to read as follows:

The department of revenue and ~~((association of county assessors))~~ the department of motor vehicles shall include campers on the schedule prepared by them as required under RCW 82.44.040, and any unlisted campers shall be appraised in the same manner as motor vehicles as provided in RCW 82.44.050.

Sec. 14. Section 82.44.060, chapter 15, Laws of 1961 as amended by section 4, chapter 199, Laws of 1963 and RCW 82.44.060 are each amended to read as follows:

The excise tax hereby imposed shall be due and payable to the ~~((county auditor))~~ department of motor vehicles or its agents at the time of registration of a motor vehicle. Whenever an application is made to the ~~((auditor))~~ department of motor vehicles or its agents for a license for a motor vehicle ~~((he))~~ there shall ~~((collect))~~ be collected, in addition to the amount of the license fee or renewal license fee, the amount of the excise tax imposed by this chapter prorated to comply with the effective date of the annual schedule prepared pursuant to RCW 82.44.040, and no dealer's license or license plates, and no license or license plates for a motor vehicle shall be issued unless such tax is paid in full. The excise tax hereby imposed shall be collected for each ~~((calendar))~~ registration year: PROVIDED, That the ~~((calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the))~~ excise tax upon a motor vehicle licensed for the first time in this state after the last day of any registration month shall only be levied for the remaining months of the ~~((calendar))~~ registration year including the month in which the motor vehicle is being licensed: PROVIDED FURTHER, That the tax shall in no case be less than two dollars.

A motor vehicle shall be deemed licensed for the first time in this state when such vehicle was not previously licensed by this state for the registration year immediately preceding the registration year in which the application for license is made and the vehicle has not been registered in another jurisdiction in the intervening period.

No additional tax shall be imposed under this chapter upon any vehicle upon the transfer of ownership thereof if the tax imposed with respect to such vehicle has already been paid for the registration year or fraction of a registration year in which transfer of ownership occurs.

Sec. 15. Section 55, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.400 are each amended to read as follows:

An annual excise tax is imposed on the owner of any travel trailer or camper for the privilege of using such travel trailer or camper in this state. The tax shall be collected for each ~~((calendar))~~ registration year by the department of motor vehicles or the county auditor of the county in which the travel trailer or camper is located at the time payment is made and shall be due on and after ~~((January 1st))~~ the first day of the registration year or on the date the travel trailer or camper is first purchased or brought into this state, and paid on or before ~~((January 31st))~~ the first day of each ~~((calendar))~~ registration year or thirty days after the travel trailer or camper is first purchased or brought into this state, whichever is later. No additional tax shall be imposed under this chapter upon any travel trailer or camper upon the transfer of ownership thereof, if the tax imposed by this chapter with respect to such travel trailer or camper has already been paid for the ~~((calendar))~~ registration year or fractional part thereof in which such transfer occurs.

Sec. 16. Section 56, chapter 299, Laws of 1971 ex. sess. as amended by section 2, chapter 144, Laws of 1972 ex. sess. and RCW 82.50.410 are each amended to read as follows:

The rate and measure of tax imposed by this chapter for each ~~((calendar))~~ registration year shall be one percent of the fair market value of the travel trailer or camper, as determined in the manner provided in this chapter: PROVIDED, That the ~~((calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the))~~ excise tax upon a travel trailer or camper used for the first time in this state after the last day of any registration month shall only be levied for the remaining months of the ~~((calendar))~~ registration year including the month in which the travel trailer or camper is first used: PROVIDED FURTHER, That the minimum amount of tax payable shall be two dollars.

A travel trailer or camper shall be deemed used for the first time in this state when such vehicle was not previously licensed by this state for the registration year or any part thereof immediately preceding the registration year in which application for license is made.

Sec. 17. Section 61, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.460 are each amended to read as follows:

~~((On or before the fifteenth day of February of each calendar year))~~ Prior to the end of any registration year of a vehicle, the director shall cause to be mailed to the owners of travel trailers or campers, of record, notice of the amount of tax payable during the ~~((calendar))~~ succeeding registration year. Said notice shall contain a legal description of the travel trailer or camper, prominent notice of penalties, due dates, and such other information as may be required by the director. If payment is not made ~~((within thirty days of the issuance of said notice))~~ prior to the beginning of the registration year, the director may forward a notification of delinquency to the county sheriff of the county wherein the travel trailer or camper is located, requesting distraint of said travel trailer or camper.

**NEW SECTION.** Sec. 18. If any provision of this 1975 amendatory act is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this 1975 amendatory act and the applicability thereof to persons and circumstances shall not be affected thereby.

**NEW SECTION.** Sec. 19. This 1975 amendatory act shall take effect on January 1, 1977: PROVIDED, That the director of the department of motor vehicles may, prior to such effective date, undertake and perform duties and conduct activities necessary for the timely implementation of this 1975 amendatory act on such date."

In line 1 of the title, beginning with "amending" strike all material down through and including "dates" on page 2, line 1 and insert "amending section 46.16.060, chapter 12, Laws of 1961 as last amended

by section 3, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.060; amending section 46.16.065, chapter 12, Laws of 1961 as amended by section 10, chapter 7, Laws of 1961 ex. sess. and RCW 46.16.065; amending section 46.16.130, chapter 12, Laws of 1961 and RCW 46.16.130; amending section 46.16.135, chapter 12, Laws of 1961 as amended by section 7, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.135; amending section 46.16.137, chapter 12, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1974 ex. sess. and RCW 46.16.137; amending section 46.16.210, chapter 12, Laws of 1961 as amended by section 1, chapter 75, Laws of 1969 ex. sess. and RCW 46.16.210; amending section 46.16.220, chapter 12, Laws of 1961 as amended by section 9, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.220; amending section 46.16.320, chapter 12, Laws of 1961 as last amended by section 1, chapter 206, Laws of 1969 ex. sess. and RCW 46.16.320; amending section 7, chapter 231, Laws of 1971 ex. sess. as amended by section 1, chapter 41, Laws of 1975 and RCW 46.16.505; amending section 82.44.040, chapter 15, Laws of 1961 and RCW 82.44.040; amending section 52, chapter 299, Laws of 1971 ex. sess. and RCW 82.44.045; amending section 82.44.060, chapter 15, Laws of 1961 as amended by section 4, chapter 199, Laws of 1963 and RCW 82.44.060; amending section 55, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.400; amending section 56, chapter 299, Laws of 1971 ex. sess. as amended by section 2, chapter 144, Laws of 1972 ex. sess. and RCW 82.50.410; amending section 61, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.460; adding new sections to chapter 12, Laws of 1961 and to chapter 46.16 RCW; and providing an effective date."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Hansen moved that the House do concur in the Senate amendments to Engrossed House Bill No. 305.

Mr. Hansen spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Hansen yielded to question by Mr. Amen.

Mr. Amen: "Does this increase any of the licenses? As I read it, it increases the fees for certain licenses, is that right?"

Mr. Hansen: "Yes, very little."

Mr. Amen: "For what licenses? For all vehicles? What percent? You mentioned that the revenue would not be increased on this."

Mr. Hansen: "On page 3, line 12, the first assessment assesses \$13.40 for the first time a vehicle is licensed in the state and after that it would be \$9.40, the same as it is at the present time. On page 3, line 18, on trailer fees, the first cost on small trailers would be \$12.50 and for such trailers and after that it would be \$3.25. This is to pay for the added work to the department to have them on record."

Mr. Amen: "On the staggering of license plates—if the owner has about half a dozen vehicles or something like that, would they all be licensed at the same time or would they be staggered?"

Mr. Hansen: "All of your trucks will be licensed in December. Your private cars, if you have more than one private car, will depend on the lot they were drawn from, so you will have different dates on private cars, the same as your driver's license."

The motion to concur was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 305 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 305 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 67; nays, 24; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Whiteside, Williams, Wilson.

Voting nay: Representatives Amen, Barnes, Bond, Curtis, Dunlap, Ehlers, Eikenberry, Eng, Flanagan, Gaspard, Greengo, Hayner, Hendricks, King, Martinis, Matthews, Nelson, Newhouse, Parker, Sherman, Tilly, Valle, Wojahn, Zimmerman.

Not voting: Representatives Blair, Kilbury, Pardini, Paris, Peterson, Warnke, and Mr. Speaker.

Engrossed House Bill No. 305 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 388 with the following amendment:

Strike all material after the enacting clause and insert the following:

"Section 73, page 236, Laws of 1854 as last amended by section 4, page 119, Laws of 1888 and RCW 12.12.060 are each amended to read as follows:

((The justice shall thereupon issue a summons for the jury, in which the following form shall be observed in substance:

THE STATE OF WASHINGTON, \_\_\_\_\_ }
County of \_\_\_\_\_ } ss.

The state of Washington to the Sheriff or any Constable of said county:

You are hereby commanded to summon \_\_\_\_\_ to appear before me, at my office in \_\_\_\_\_ precinct, said county, on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_ at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, to serve as jurors in a case pending before me, then and there to be tried. And this they shall in nowise omit: And have you then and there this writ, with your doings thereon.

Given under my hand this, the \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_

\_\_\_\_\_ A \_\_\_\_\_ B \_\_\_\_\_
Justice of the Peace.

Which summons shall be personally served upon the persons named, and the same shall be returned, with the names of the persons summoned, at the time appointed for the trial of the cause.)) The justice shall thereupon issue or cause to be issued a summons for the jury, which summons shall be served personally or by certified mail upon the persons named." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Knowles moved that the House do concur in the Senate amendment to Engrossed House Bill No. 388.

Mr. Knowles spoke in favor of the motion.

POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "You just indicated that this would permit the sheriff to serve the summons either personally or by registered mail. The amendment says personally or by certified mail. This creates a question in my mind, first of all I assume that this amendment is correct and the correct word is 'certified'?"

Mr. Knowles: "The amendment, as I read it, Representative Kuehnle, strikes that prescribed form."

Mr. Kuehnle: "The amendment strikes the prescribed form, and the only language that is left is, 'The justice shall thereupon issue or cause to be issued a summons for the jury, which summons shall be served personally or by certified mail upon the persons named.'"

Mr. Knowles: "That will be the bill."

Mr. Kuehnle: "However, you said 'registered mail' and this says 'certified mail.' The question arises in my mind that if it were 'registered' I wouldn't have any problem, but if it's 'certified' then there is no return receipt required, then there is no way in the world, that I know of, of proving that the individual summoned for jury service actually received the mail."

Mr. Knowles: "All I can say to you, Representative Kuehnle, is the sheriffs themselves requested the bill in this manner so evidently they don't have any problem with whether or not they get any kind of a receipt back."

Mr. Kuehnle: "If I have been mailed a summons to serve on a jury by certified mail and I don't get the summons; I don't show up for jury duty, then am I not subject to contempt of court?"

Mr. Knowles: "I think there is something in the language that could be used, but I think it would rarely be used and I would think that probably in determining this jury list there would be a further contact with you. I might point out, that it is a very simple matter to get excused from jury duty. If you go to the presiding judge and you have a reason, you will get excused. If you never received the notice I am certain that no contempt citation will be taken against you. These summons for jury are sent out to a great number of people. The way it is done, the court determines the probable number of jurors they are going to need for an entire term; they draw them by lot out of the list of registered voters and then they send these notices out to perhaps 400 to 500 people at a time. Even with certified mail and return receipt requested, there would be some of these that would be undeliverable, but I don't think it's that big a deal."

Mr. Eikenberry spoke in favor of the motion to concur.

The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 388 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 388 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Freeman, Kuehnle.

Not voting: Representatives Blair, Kilbury, Paris.

Engrossed House Bill No. 388 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 475 with the following amendment:

On page 5, line 5 of the engrossed bill, being line 4 of the printed bill, after "forwarded" insert "with recommended salary adjustments, which recommendations shall be advisory only," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Gaspard, the House concurred in the Senate amendment to Engrossed House Bill No. 475.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 475 as amended by the Senate.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 475 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Kilbury, Paris, Warnke.

Engrossed House Bill No. 475 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 480 with the following amendment:

On page 1, line 15 after "publications" and before the period insert ": PROVIDED, That every person subject to regulation by the department may upon request receive without charge one copy of any publication printed pursuant to section 2 of this act whenever such person is affected by any statute, rule or regulation printed therein"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Savage, the House concurred in the Senate amendment to House Bill No. 480.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 480 as amended by the Senate.

Mr. Savage spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 480 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Dunlap, Kilbury, Moon, Paris, Perry, Warnke.

House Bill No. 480 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 422 with the following amendments:

On page 1, line 19 after "If," and before "December" strike "prior to ((~~May~~))" and insert "((~~prior to May~~)) on or before"

On page 1, line 20 after "assessment" and before "of that" on line 21 strike "~~((and tax rolls))~~ roll" as of ~~((January 1))~~ May 31" and insert "~~((and tax rolls as of January 1))~~ roll"

On page 2, line 2 after "If," and before "December" strike "prior to ~~((May))~~" and insert "~~((prior to May))~~ on or before"

On page 2, line 3 after "assessment" and before "of that" on line 21 strike "~~((and tax rolls))~~ roll" as of ~~((January 1))~~ May 31" and insert "~~((and tax rolls as of January 1))~~ roll"

On page 3, line 19 before "shall" strike "tax collector" and insert "(tax collector) treasurer" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Randall, the House concurred in the Senate amendments to Engrossed House Bill No. 422.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 422 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 422 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kilbury, Paris, Warnke.

Engrossed House Bill No. 422 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 484 with the following amendment:

On page 1, line 11 after "detention," strike "duties," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Knowles moved that the House do concur in the Senate amendment to Substitute House Bill No. 484.

Representatives Knowles and Eikenberry spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 484 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 484 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King,

Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Newhouse.

Not voting: Representatives Kilbury, Paris, Warnke.

Substitute House Bill No. 484 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

May 15, 1975

Mr. Speaker:

The Senate has adopted the report of the conference committee on HOUSE BILL NO. 171, and has granted said committee the powers of Free Conference,

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

May 14, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 171, prescribing motor vehicle gross weight limits, have had the same under consideration and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill as follows:

On page 2, line 27 after "limitations" and before the period insert "and it is not reasonable for economic or operational considerations to transport such excess weights by rail or water for any substantial distance of the total mileage applied for"

Signed by Senators Henry, Guess, Beck; Representatives Hansen, Douthwaite, Patterson.

#### MOTION

On motion of Mr. Hansen, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

May 15, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 172, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

May 15, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 172, standardizing the marking of public vehicles, have had the same under consideration and we report that we are unable to agree and respectfully request the powers of Free Conference in order to make the following changes:

That the Senate Committee amendments be adopted with the following amendment to the committee amendment:

On page 4, line 21 of the committee amendment strike "Any elected state official" and insert "Any state official elected on a state-wide basis"

Signed by Senators Rasmussen, Wanamaker, Woody; Representatives Sommers, Nelson, Chatalas.

#### MOTION

On motion of Ms. Sommers, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## SENATE AMENDMENTS TO HOUSE BILL

May 15, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 62 with the following amendments:

On line 1 of the title after "to" and before "emergency" strike "county"

On line 2 of the title after "36.01 RCW;" and before "and" insert "adding a new section to chapter 52.36 RCW;"

On line 7, after "(11)" and before the period insert ", but shall utilize any existing private ambulance service as a part of that system"

In section 1, line 10 after ": PROVIDED, That" and before "when" insert "any county which provides emergency medical services supported by an excess levy may waive such charges for service: PROVIDED FURTHER, That"

On line 13, after "ambulance service," and before "the" insert "and existing private ambulance service cannot be encouraged to expand service on a contract basis,"

On page 1, beginning on line 16 add a section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 52.36 RCW a new section to read as follows:

Any fire protection district which provides ambulance service pursuant to RCW 52.08.030, may pursuant to a resolution establish and collect charges for such services in order to reimburse the district for all costs of providing such service: PROVIDED, That any fire protection district which provides such ambulance service supported by an excess levy may waive such charges for service."

Renumber the remaining section consecutively.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Ms. Sommers moved that the House do concur in all the Senate amendments to Substitute House Bill No. 62, except the amendment to line 7, and ask the Senate to recede therefrom.

Representatives Sommers and Chandler spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Chandler yielded to question by Mrs. North.

Mrs. North: "Does section 2 leave a fire district free to establish its own set of fees? Would it be possible for the commissioners to waive or alter fees in certain cases?"

Mr. Chandler: "I asked the Attorney General for an opinion on that subject, asking first of all could a fire district establish a fee based on its own judgment? In other words, being concerned about the phrase in this amendment, 'all costs of providing such service,' does that mean cost to whom, the fire district or whatever? The Attorney General's opinion is that they can establish the charge of whatever they deem necessary. The other part of the question, is could a fire district, if it chose to do so, not establish charges? In other words waive a charge for someone who is too poor to pay, taking advantage of persons with insurance, etc. The answer is yes, they can, so long as they don't base this solely on age or something of that nature. It is permissible that they could do it for persons who are too poor to pay."

The motion was carried.

## MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

## SECOND READING

ENGROSSED SENATE BILL NO. 2381, by Senators Beck, Guess and Stortini:

Providing for annual review for cancellation of voters but allowing vote in last presidential election to be deemed vote within preceding thirty months.

The bill was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Journal, Thirty-fourth Day ex. sess., April 16, 1975.)

Mr. King moved adoption of the committee amendment to the body of the bill.

Mr. King spoke in favor of the amendment, and Mr. Newhouse spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the committee amendment to Engrossed Senate Bill No. 2381, and the amendment was adopted by the following vote: Yeas, 59; nays, 36; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Jueling, Kuehne, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Seeberger, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Kilbury, Paris, Warnke.

On motion of Mr. King, the following amendments by Representatives King and Brown were adopted:

On page 1, section 1, line 11 after "day of" strike "April" and insert "~~((April))~~ January"

On page 2, section 2, line 7 after "On or before" strike "August" and insert "~~((August))~~ April"

On page 2, section 2, line 19 after "day of" strike "April" and insert "~~((April))~~ January"

On page 2, line 1 after "made" insert "or transferred"

On motion of Mr. King, the committee amendment to the title was adopted.

Engrossed Senate Bill No. 2381 as amended by the House was referred to Committee on Rules for third reading.

ENGROSSED SENATE JOINT RESOLUTION NO. 101, by Senators Francis, Clarke, Marsh, Woody and Jones:

Creating a new judicial article in the Constitution of Washington.

The resolution was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, Fiftieth Day ex. sess., May 2, 1975.)

Mr. Knowles moved adoption of the committee amendment.

## POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Knowles, I am concerned about the changes that may be made because of this judicial article in the district court; am I to infer that this bill would, in small counties, create multiple county districts where all the district court judges would be full-time and would have to be lawyers?"

Mr. Knowles: "Once the individuals who are now serving who are not lawyers could no longer run for office after that time, they would be required to leave. There is a bill that is circulating that will do what you are describing, that is a statutory measure; this is a constitutional amendment. The statutory measure, if it passes, is to do just that—rearrange the district courts in the state so that a certain number of district court judges will be prescribed for each district and they will have to be attorneys."

Mr. Newhouse: "Would not this bill, in effect, demand such a statute be passed?"

Mr. Knowles: "In my opinion, it will in time."

The committee amendment was adopted.

Engrossed Senate Joint Resolution No. 101 as amended by the House, was passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. Thompson, the House adjourned until 9:30 a.m., Thursday, May 22, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 22, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Haley, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Carroll and Scott Spalding. Prayer was offered by the Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE SENATE

May 21, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2535,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2908,  
SENATE BILL NO. 2957,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 21, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 29,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 21, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 468,  
SUBSTITUTE SENATE BILL NO. 2086,  
SENATE BILL NO. 2453,  
SENATE BILL NO. 2619,  
SUBSTITUTE SENATE BILL NO. 2713,  
SENATE BILL NO. 2741,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 15,  
HOUSE BILL NO. 42,  
HOUSE BILL NO. 189,  
SUBSTITUTE HOUSE BILL NO. 239,  
HOUSE BILL NO. 305,  
HOUSE BILL NO. 388,  
HOUSE BILL NO. 422,  
HOUSE BILL NO. 475,  
HOUSE BILL NO. 480,  
SUBSTITUTE HOUSE BILL NO. 484,  
SUBSTITUTE HOUSE BILL NO. 527,

SUBSTITUTE SENATE BILL NO. 2086,  
 SENATE BILL NO. 2453,  
 SENATE BILL NO. 2619,  
 SUBSTITUTE SENATE BILL NO. 2713,  
 SENATE BILL NO. 2741.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 33, by Representatives Newhouse, Chandler, Dunlap, Gilleland, Brown, Berentson, Lee, Freeman, Flanagan, Curtis, Deccio, Polk, Zimmerman, Amen, Patterson, Leckenby, Kuehnle, Eikenberry, Blair, Peterson, Matthews, Tilly, Nelson, Paris, Schumaker, Hendricks, Whiteside, Barnes, Hayner, Hansey and Greengo:

Establishing cut-off dates for consideration of bills.

MOTION

Mr. Newhouse moved that the rules be suspended, and House Concurrent Resolution No. 33 be advanced to second reading and read the second time in full.

Representatives Newhouse and Pardini spoke in favor of the motion, and Mr. Charette spoke against it.

POINT OF INQUIRY

Mr. Pardini requested Mr. Charette to yield to question.

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The rules are rather clear on a suspension of the rules that we have one speaker on each side of the issue. Rule 49 states in part, 'A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of the motion, and one member may briefly state the opposition to the motion.' That has been done. If you have some other question, you will have to take care of it later."

ROLL CALL

The Clerk called the roll on the motion by Mr. Newhouse that the rules be suspended, and House Concurrent Resolution No. 33 be advanced to second reading, and the motion was lost by the following vote: Yeas, 37; nays, 61; not voting, 0.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

House Concurrent Resolution No. 33 was passed to Committee on Rules for second reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2535, by Committee on Transportation and Utilities (Originally sponsored by Senator Walgren):

Relating to transportation.

To Committee on Transportation and Utilities

ENGROSSED SUBSTITUTE SENATE BILL NO. 2908, by Committee on Transportation and Utilities (Originally sponsored by Senator Washington):

Authorizing state and local government to provide for intermodal transportation centers.

To Committee on Transportation and Utilities

SENATE BILL NO. 2957, by Senators Bottiger and Walgren:

Increasing fees for drivers' licenses.

To Committee on Transportation and Utilities

#### REPORTS OF STANDING COMMITTEES

May 19, 1975

HOUSE BILL NO. 860, Prime Sponsor: Representative Perry, relating to transportation studies. Reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Perry, Chairman; Bender, Berentson, Ceccarelli, Chandler, Clemente, Douthwaite, Dunlap, Gaines, Gilleland, Hansen, Hayner, Lee, Patterson, Sherman, Wilson.

To Committee on Rules for second reading.

#### SECOND READING

REENGROSSED SENATE BILL NO. 2306, by Senators Day and Jones:

Revising the law relating to usury.

The bill was read the second time.

The Clerk read the following amendment by Representative Hurley (George):  
On page 1, section 1, line 17 after "exceeding" strike "fifty" and insert "one hundred"

#### POINT OF ORDER

Mr. Kuehnle: "Mr. Speaker, I have on my desk an amendment which appears on page 1, line 14, which it would appear to me should be considered first."

The Speaker (Mr. O'Brien presiding): "It really doesn't make much difference as far as consideration of the two amendments, they are dealing with different subject matter."

Mr. Kuehnle: "Mr. Speaker, this constitutes a departure from the normal procedure, that of treating amendments in order as they appear in the bill, and I am of the opinion that it does make a difference. The Wojahn amendment introduces a new theory and a new principle and should that amendment be adopted—the concept of linking the rate of increase to some index—then I am of the opinion that the level at which this would come into play should be considered after that. I think it does make a difference and I certainly feel that my vote relative to whether we should be talking about a zero threshold, \$25,000, \$50,000 or \$100,000, would be affected by whether we had adopted the Wojahn amendment or not."

The Speaker (Mr. O'Brien presiding): "It's been more or less held, Representative Kuehnle, that when you read the last line of a bill there isn't any particular order in which you can consider amendments, but we will consider Representative Wojahn's amendment first."

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn, Moon, Hurley (George), Tilly and Bender:

On page 1, line 14 after "purposes:" insert "PROVIDED, That such entities shall be so limited only where the rate of interest charged pursuant to a transaction does not exceed the greater of twelve percent per annum or five percentage points above the annual rate charged member banks for advances by the 12th Federal Reserve District that prevailed on the first day of the month preceding the commencement of the calendar quarter during which such transaction is made:"

Mrs. Wojahn spoke in favor of the amendment, and Mr. Ceccarelli spoke against it.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Amen.

Mr. Amen: "Could you tell me what the rate is now and would you also have some information on what the highest rate has been within the last two years on the federal discount rate?"

Mr. Pardini: "The federal discount rate, to the best of my knowledge, at the present time is around six percent. A significant factor that you might want to consider is that the discount rate is set only on what they call bankable loans, so that a bank placing those loans with the Federal Reserve, in order to meet the reserve requirements, is probably setting forth the



cream of the crop of their loan portfolio, because they are the only ones that are acceptable. That has a very definite bearing on the rate."

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Flanagan.

Mr. Flanagan: "A couple of days ago, one of the bankers told me that this type of a limitation, five percent above the discount rate, was now applied by the Federal Reserve on a nationwide basis to loans above \$25,000 for business purposes and what I am asking you is, if we go to this type of limitation, in order to be consistent it seems to me it would have to change the \$50,000 in the bill to \$25,000, then you'd be consistent with the present situation that exists nationally."

Mr. Pardini: "I guess my reply to that would have to be, it would seem to me from a legal standpoint they would have to be tied to each other. The \$25,000 federal law, which ties it to the discount rate, has a self-destruct clause in it, as I remember, and that will be wiped out by the end of this year."

Representatives Hurley (George) and Moon spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Berentson.

Mr. Berentson: "Is there any correlation between the discount rate and the interest rate? In view of some of the comments here—Representative Hurley has inferred that you are getting down to hitting some people that in my opinion probably wouldn't be affected here."

Mr. Pardini: "There is, in my opinion Representative Berentson, some correlation between the discount rates and other interest rates. There is no historical perspective as to why the rates vary at any particular time. The basic interest rates are set by the 90-day bill rate of U.S. Government Treasury. I did a little homework yesterday afternoon, at a time when the discount rate (December 9, 1974) was seven and three-quarters percent, the prime rate was ten and five-eighths; commercial paper (that's your major commercial acceptances) was 9.18 percent and the average of business loans on the west coast at that particular time was a little over twelve percent. I tracked it for another two weeks and another two weeks and tried to lay it out on the graph and it just bounces up and down all over, generally on the availability of money. There is some correlation, but I don't think you could statistically lay it out."

Mr. Tilly spoke in favor of the amendment.

#### POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "I think the concept of trying to tie the rate to a floating index is a good idea, but I'm confused about the wording of the amendment. Is it your intention to exempt wording from the statutes providing usury as a defense for only banks which loan money at a rate which might be five percent over and above the discount rate, or is it your intention to make this ceiling applicable to all of the lenders that are covered by this bill? I can't quite interpret the language of the amendment. In a case of a bank, where they have the capability of borrowing at the rate discount rate, then the thing works beautifully, except that in the case of other lenders who are historically at a level of three or four or five percent higher than second mortgage lenders, this type of thing, would they then be stuck with this same ceiling, or does this apply only to those who have access to federal money at the discount rate?"

Mrs. Wojahn: "I would say that all of those covered under the present statute would be covered under this particular amendment."

Mr. Kuehnle: "Was it your intention to attempt to cover all of them, or to make this floating applicable only to those who have access to the floating discount privilege?"

Mrs. Wojahn: "No, to all of them."

Mr. Kuehnle spoke against adoption of the amendment, and Mrs. Wojahn spoke in favor of it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Wojahn and others to Reengrossed Senate Bill No. 2306, and the amendment was adopted by the following vote: Yeas, 56; nays, 38; not voting, 4.

Voting yea: Representatives Adams, Barnes, Bauer, Becker, Bender, Boldt, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Ehlers, Erickson, Fischer, Fortson, Gallagher, Gaspard, Greengo, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, McKibbin, Moon, Moreau, O'Brien, Pardini, Parker, Perry, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Bausch, Berentson, Blair, Bond, Brown, Ceccarelli, Curtis, Douthwaite, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gilleland, Hanna, Hansen, Hayner, Hurley M., Kalich, Kuehnle, Leckenby, Matthews, May, McCormick, Nelson, North, Patterson, Peterson, Polk, Randall, Schumaker, Shipoch, Warnke, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Haley, Newhouse, Paris.

## EXPLANATION OF VOTE

My voting machine malfunctioned and recorded my vote as "nay" and I intended to vote "yea" on the Wojahn amendment to Reengrossed Senate Bill No. 2306.

RON HANNA, 26th District.

## MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representative Wojahn and others was adopted.

Mr. Pardini spoke in favor of the motion, and Mr. Moon spoke against it.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Pardini that the House reconsider the vote by which the amendment by Representative Wojahn and others to Reengrossed Senate Bill No. 2306 was adopted, and the motion was carried by the following vote: Yeas, 52; nays, 42; not voting, 4.

Voting yea: Representatives Amen, Bagnariol, Barnes, Berentson, Blair, Bond, Brown, Ceccarelli, Chatalas, Conner, Curtis, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Kalich, Kilbury, Kuehnle, Leckenby, Luders, Lysen, Matthews, May, McCormick, Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Shipoch, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bauer, Bausch, Becker, Bender, Boldt, Charette, Charnley, Clemente, Cochrane, Deccio, Ehlers, Erickson, Fortson, Gaspard, Greengo, Haussler, Hawkins, Hurley G. S., Juelling, King, Knowles, Laughlin, Lee, Martinis, Maxie, McKibbin, Moon, Moreau, O'Brien, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wojahn.

Not voting: Representatives Chandler, Haley, Perry, Williams.

The Speaker (Mr. O'Brien presiding) stated, the motion having carried, the question before the House to be reconsideration of the amendment by Representatives Wojahn, Moon, Hurley (George), Tilly and Bender to page 1, line 14 of Reengrossed Senate Bill No. 2306.

## ROLL CALL

The Clerk called the roll on the reconsideration of the amendment by Representative Wojahn and others to Reengrossed Senate Bill No. 2306, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Adams, Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Cochrane, Deccio, Ehlers, Erickson, Fischer, Fortson, Gaspard, Greengo, Hanna, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Knowles, Laughlin, Lee, Lysen, Martinis, Maxie, McKibbin, Moon, Moreau, O'Brien, Perry, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bausch, Berentson, Blair, Bond, Brown, Ceccarelli, Chatalas, Conner, Curtis, Douthwaite, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Hansen, Hansey, Hayner, Hurley M., Kalich, Kuehnle, Leckenby, Luders, Matthews, May, McCormick, Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Shipoch, Thompson, Warnke, Zimmerman, and Mr. Speaker.

Not voting: Representatives Chandler, Haley.

Mr. Hurley (George) moved adoption of the following amendment:

On page 1, line 17 after "exceeding" strike "fifty" and insert "one hundred"

Representatives Hurley (George), Charnley and Wojahn spoke in favor of the amendment, and Representatives Ceccarelli, Kuehnle, Leckenby, Conner, Hanna and Bagnariol spoke against it.

Mr. Hurley (George) spoke again in favor of the amendment.

#### POINT OF ORDER

Mr. Kuehnle: "I wish Representative Hurley would confine his remarks to the merits of the amendment instead of trying to second guess the motives of those who have spoken on the amendment."

The Speaker (Mr. O'Brien presiding): "Representative Hurley, please try to confine your remarks within the confines of your amendment."

#### POINT OF ORDER

Mr. Eikenberry: "I believe the point of order raised by Representative Kuehnle was the fact that Representative George Hurley keeps asserting that those who spoke in opposition to his amendment have some interest other than the overall welfare of the state. He's asserting that some special interest is controlling the speeches made against his amendment. In that he is entirely out of order."

The Speaker (Mr. O'Brien presiding): "I've heard worse remarks than Representative Hurley has stated here. Mr. Hurley, please try to avoid personalities in your debate."

Mr. Hurley (George) continued his remarks in favor of the amendment.

#### POINT OF ORDER

Mr. Berentson: "Mr. Speaker, I would call your attention to the three-minute rule."

The Speaker (Mr. O'Brien presiding): "You have run past the three minutes allowed, Representative Hurley. Will you close debate?"

Mr. Hurley closed debate, speaking in favor of the amendment.

The amendment was not adopted.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 16 of the printed bill, after "hundred" strike the remainder of the paragraph down to and including "dollars" on line 18 of the printed bill and insert "(thousand dollars) of any amount"

Mr. Kuehnle spoke in favor of the amendment, and Representatives Ceccarelli and Hurley (George) spoke against it.

Mr. Kuehnle closed debate, speaking again in favor of the amendment.

The amendment was not adopted.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn, Moon, Hurley (George), Tilly and Bender:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 2, chapter 80, Laws of 1899 as amended by section 4, chapter 23, Laws of 1967 ex. sess. and RCW 19.52.020 are each amended to read as follows:

Any rate of interest not exceeding the greater of twelve percent per annum or five percentage points above the annual rate charged member banks for advances by the 12th Federal Reserve District that prevailed on the first day of the month preceding the commencement of the calendar quarter during which a contract or loan commitment is made and agreed to in writing by the parties to the contract shall be legal, and no person shall directly or indirectly take or receive in money, goods, or things in action, or in any other way, any greater interest, sum, or value for the loan or forbearance of any money, goods or things in action than ((twelve percent per annum)) such rates of interest permitted under this section: PROVIDED, That in any loan of money in which the funds advanced do not exceed the sum of five hundred dollars, a setup charge may be charged and collected by the lender, and such setup charge shall not be considered interest hereunder: PROVIDED FURTHER, That such setup charge does not exceed four percent of the amount of funds advanced, or fifteen dollars, whichever is the lesser, except that on loans of under one hundred dollars a minimum not exceeding four dollars may be so charged: PROVIDED FURTHER, That the rates of interest permitted under this section shall not govern those rates permissible under chapters 19.60, 31.08, and 63.14 RCW.

NEW SECTION. Sec. 2. Section 1, chapter 142, Laws of 1969 ex. sess., section 2, chapter 97, Laws of 1970 ex. sess. and RCW 19.52.080 are each hereby repealed."

## POINT OF ORDER

Mr. Ceccarelli: "The proposed amendment is substantially the same as the one that has already been rejected by the House. I refer you to Reed's Rule 136, 'These limitations rest upon the idea that when an assembly has come to a conclusion, that conclusion is not to be questioned. Otherwise nothing would stay done.'"

## MOTION

On motion of Mr. Thompson, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Smith (Edward), who was excused.

## MESSAGE FROM THE GOVERNOR

May 22, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 22, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 16: Revising appeal procedure from orders of the department of labor and industries.

HOUSE BILL NO. 92: Imposing liability for certain taking of merchandise.

HOUSE BILL NO. 112: Abolishing the accumulated sick leave fund established in the office of the superintendent of public instruction.

HOUSE BILL NO. 141: Revising laws relating to theft of livestock and adding civil penalty.

HOUSE BILL NO. 170: Providing an extension of time for tax exemption on use of propane in motor vehicles.

HOUSE BILL NO. 175: Removing gross weight limitations for vehicles operated within project boundaries.

SUBSTITUTE HOUSE BILL NO. 183: Increasing public works mandatory bid limit.

SUBSTITUTE HOUSE BILL NO. 219: Authorizing state general obligation bonds to fund community college capital projects previously approved by the legislature.

HOUSE BILL NO. 627: Implementing law relating to certain student transfers within the common schools and state apportionment credit therefor.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

## CONFERENCE COMMITTEE APPOINTMENTS

The Speaker (Mr. O'Brien presiding) announced the following appointees to Conference Committees:

Substitute House Bill No. 47: Representatives North, Hansen and Gilleland;

Substitute House Bill No. 206, Substitute House Bill No. 972, Substitute House Bill No. 1143, Second Substitute House Bill No. 1146: Representatives Shinpoch, Bagnariol and Polk.

## SECOND READING

REENGROSSED SENATE BILL NO. 2306:

The House resumed consideration of the bill on second reading.

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The question before the House is the point of order that was raised on the amendment by Representative Wojahn and others. The Speaker finds Representative Wojahn's first amendment, which was defeated, spoke to the variable interest rates only as applied to commercial loans. The amendment presently before us speaks

to the same type of variable interest rates; however, it would apply to all types of loans, both commercial and noncommercial, with the exception of those pertaining to pawnbrokers, secondhand dealers, small loan companies and retail installment loans. This constitutes a materially new composition. The point of order is not well taken."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Wojahn and others.

Representatives Wojahn and Moon spoke in favor of the amendment, and Representatives Ceccarelli, Newhouse, Pardini and Berentson spoke against it.

Mrs. Wojahn closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Wojahn and others to Reengrossed Senate Bill No. 2306, and the amendment was not adopted by the following vote: Yeas, 29; nays, 61; not voting, 8.

Voting yea: Representatives Adams, Bauer, Bender, Boldt, Charnley, Clemente, Cochrane, Ehlers, Greengo, Haley, Hawkins, Hurley G. S., Kilbury, King, Knowles, Lee, Martinis, Maxie, McKibbin, Moon, O'Brien, Perry, Savage, Seeberger, Sherman, Tilly, Valle, Williams, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bausch, Becker, Berentson, Bond, Ceccarelli, Charette, Chatalas, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kuehne, Laughlin, Leckenby, Luders, Lysen, Matthews, May, McCormick, Moreau, Nelson, Newhouse, North, Pardini, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Shipoch, Smith R., Sommers, Thompson, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Brown, Chandler, Fortson, Hansen, Haussler, Paris, Smith E. P.

Mrs. Wojahn moved adoption of the following amendment:

On page 1, after section 1, line 21 of the printed bill, insert the following section:

"NEW SECTION, Sec. 2. This act shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next succeeding general election to be held in this state, all in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof."

Renumber the remaining section consecutively.

Representatives Wojahn and Moon spoke in favor of the amendment, and Representatives Ceccarelli and King spoke against it.

The amendment was not adopted.

The Speaker assumed the Chair.

Reengrossed Senate Bill No. 2306 was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 2123, by Committee on Education (Originally sponsored by Senators von Reichbauer, Murray, Ridder and Washington – by Superintendent of Public Instruction request):

Authorizing cancellation of certain municipal corporation warrants after one year from their call or issue.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2123 was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2123, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Haussler, Smith E. P., Wilson.

Substitute Senate Bill No. 2123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2133, by Committee on State Government (Originally sponsored by Senators Lewis (Harry), Rasmussen and Odegaard):

Authorizing payment of claims against state officers or employees from tort claims revolving fund.

The bill was read the second time.

On motion of Ms. Sommers, the following amendment was adopted:  
On page 3, line 28 of the printed substitute bill after "conduct" insert "or"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2133 as amended by the House was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2133 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Ceccarelli, Haussler, King, Smith E. P., Whiteside, Wilson.

Engrossed Substitute Senate Bill No. 2133 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2194, by Senators von Reichbauer, Washington, Grant and Stortini:

Providing for temporary appointments to fill vacancies in the office of United States senator.

The bill was read the second time.

#### MOTION

On motion of Mr. Charette, the House deferred further consideration of Engrossed Senate Bill No. 2194 and the bill was ordered placed on the second reading calendar following Substitute Senate Bill No. 2966.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2408, by Committee on Labor (Originally sponsored by Senators Grant, Morrison, Ridder, Mardesich, von Reichbauer, Bailey, Sellar and Matson):

Establishing the public employment relations commission.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-eighth Day ex. sess., April 30, 1975.)

Mr. Savage moved adoption of the committee amendment.

#### POINT OF ORDER

Mr. Kuehnle: "It appears to me that the committee amendment being offered incorporates Senate Bill No. 2500 in toto, which I think is a violation of the House Rules."

## SPEAKER'S RULING

The Speaker: "Senate Bill No. 2500, according to our records, is not before us. It's in the Senate."

Mr. Kuehnle: "I think that's my point of order, Mr. Speaker. It is in the Senate, and this is Senate Bill No. 2500 in exactly the same form."

The Speaker: "The restriction applies to those bills before the House. Rule 33 says, '... other bill or resolution pending before the House.' So I will order that your point of order is not well taken."

Mr. Freeman moved adoption of the following amendments to the committee amendment:

On page 22, line 13 after "districts" strike "and community college districts"

On page 23, line 8 after "districts" strike down to and including "college" on line 9.

On page 23, line 17 after "(ii)" strike down to and including "manager." on line 18.

Beginning on page 37, line 8 strike all of subsections (10) through (20)

## POINT OF ORDER

Mr. Kuehnle: "I would like you to rule on scope and object. The original bill deals with public employment and the committee amendment deals with teacher negotiations."

## SPEAKER'S RULING

The Speaker: "Representative Kuehnle, your objections for scope are not timely, in that Rule 112 of Reed's Rules states that '... objections to present action must be presented before consideration has been entered upon. After debate has begun or other action has been taken it is too late.' We have placed before us the amendments to the committee amendment. It's too late; it has to be raised at the time the amendment is placed."

Mr. Kuehnle: "I was on my feet to raise the point of order when Representative Freeman was recognized and we have not taken any action on those amendments other than simply to move them. Had I been recognized then, my point of order would have been timely."

The Speaker: "Representative Kuehnle, I'm sorry, but if the Speaker failed to recognize you it wasn't intentional. We have started proceeding on further action so I must rule the point of order is not timely."

The Speaker stated the question before the House to be the amendments by Representative Freeman to the committee amendment.

Representatives Charnley and Flanagan spoke in favor of the amendments, and Mr. Parker spoke against them.

## POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Patterson.

Mr. Patterson: "Would you feel that this would be the proper route to go? Do you think it would be reasonable that if you are going to have collective bargaining for community colleges you shouldn't join the four-year institutions and community colleges together?"

Mr. Charnley: "My feeling is that, given my druthers, I would rather see higher education included in this bill, so that we have everybody under one umbrella, but my opposition last time was that I felt that the instrument was so poorly taken that the community colleges were better out of it. I guess at this point my first preference would be everybody under; and my second preference would be higher education and community colleges together. I can't really speak for the system as a whole, that's my feeling. Some of my cohorts feel very strongly one way and some another. I can only report to you that in a survey taken of community colleges, trustees, faculty, etc., the faculty voted 36% in favor of the bill I mentioned earlier (Senate Bill No. 2263) and only 16% in favor of the WEA bill (Senate Bill No. 2500), which is the one that's in here. On the other hand, 21% felt that they would like to be in a higher education type of coverage, both higher education and community colleges. So the feeling of the faculty is somewhat spread and there is no fantastic strong feeling one way or the other."

Mr. Conner demanded an electric roll call and the demand was sustained.

Mr. Matthews spoke in favor of the amendments to the committee amendment, and Representatives Savage and King spoke against them.

Mr. Charette demanded the previous question, and the demand was not sustained.

#### POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Haley.

Mr. Haley: "The morning Engrossed Substitute Senate Bill No. 2408 was first presented in committee, I was unaware that it was going to be presented, and it went through so fast I couldn't find out the difference between it and Senate Bill No. 2500. I was a little disturbed and I still don't really know the difference between those two bills. I was preparing to vote on Senate Bill No. 2500 in committee and then Senate Bill No. 2408 went through. I wonder if you would take a few seconds to explain exactly what the differences are?"

#### SPEAKER'S RULING

The Speaker: "Representative Haley, I can't see where your question is germane to the amendments to the committee amendment, which strikes community colleges. I think it will be a germane question to ask once we start considering the committee amendment."

Mr. Freeman closed debate, speaking again in favor of the amendments to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Freeman to the committee amendment to Engrossed Substitute Senate Bill No. 2408, and the amendments were not adopted by the following vote: Yeas, 38; nays, 57; not voting, 3.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Chandler, Charnley, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Erickson, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Jueling, Kuehne, Leckenby, Matthews, Maxie, Nelson, Newhouse, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Sherman, Tilly, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eng, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Parker, Perry, Savage, Seeberger, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, Smith E. P.

Mr. Freeman moved adoption of the following amendment to the committee amendment:

On page 35, line 15 insert a new section to read as follows:

"NEW SECTION. Sec. 51. The provisions of sections 34 through 50 and section 53 of this 1975 amendatory act are intended to provide a means to resolve labor disputes in an area of employment which is most important to the citizens of the state. Therefore those individuals whose employee/employer relationship is covered by the terms of this act shall be prohibited from striking or otherwise withholding their services in violation of the terms of such contract as governs their relationship with their employer. If any violation of this prohibition is sanctioned either directly or indirectly by an employee organization, it shall be an unfair labor practice within the meaning of section 45 of this 1975 amendatory act."

Renumber the remaining sections consecutively.

Representatives Freeman, Hurley (Margaret), Hayner and Nelson spoke in favor of the amendment, and Representative Savage spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Mr. Schumaker spoke in favor of the amendment to the committee amendment, and Representatives King and Leckenby spoke against it.

Mr. Freeman closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Freeman adding a new section 51 to the committee amendment to Engrossed Substitute Senate Bill No. 2408, and the amendment was not adopted by the following vote: Yeas, 32; nays, 64; not voting, 2.

Voting yea: Representatives Amen, Berentson, Blair, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hurley M., Jueling,



Kuehnle, Matthews, Maxie, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wójahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Haussler, Smith E. P.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House Mr. Victor A. Meyers, former Secretary of State, and requested Representatives Shipoch, Bagnariol and O'Brien to escort him to the rostrum.

Mr. Meyers addressed the House briefly and the Speaker requested the committee to escort him from the House Chamber.

#### NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Peterson served notice that he would, on the next working day, offer an amendment to the House Rules.

Mr. King moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2408:

On page 2, line 24 after "thereof" strike everything through "thereof" on line 26.

Mr. King spoke in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative King to the committee amendment to Engrossed Substitute Senate Bill No. 2408, and the amendment was adopted by the following vote: Yeas, 56; nays, 37; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, May, McKibbin, Moon, Moreau, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Thompson, Valle, Warnke, Williams.

Voting nay: Representatives Amen, Barnes, Bender, Berentson, Brown, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Matthews, Maxie, McCormick, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Sommers, Tilly, Whiteside, Wilson, Wójahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, North, Paris, Smith E. P.

Mrs. Hurley (Margaret) moved adoption of the following amendment to the committee amendment:

On page 29, line 7 strike all of section 41 and renumber the remaining sections consecutively.

Mrs. Hurley (Margaret) spoke in favor of the amendment, and Mr. King spoke against it.

The amendment was not adopted.

Mr. Freeman moved adoption of the following amendments to the committee amendment:

On page 22, line 5 strike sections 34 through 53 and renumber the remaining sections consecutively.

Beginning on page 36, line 14 strike sections 55 through 57.

Representatives Freeman and Flanagan spoke in favor of the amendments, and Mr. King spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Freeman striking sections 34 through 53 and sections 55 through 57 of the committee amendment to Engrossed Substitute Senate Bill No. 2408, and the amendments were not adopted by the following vote: Yeas, 28; nays, 66; not voting, 4.

Voting yea: Representatives Amen, Berentson, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hurley M., Juelling, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, North, Smith E. P.

The Speaker stated the question before the House to be the committee amendment as amended.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment as amended to Engrossed Substitute Senate Bill No. 2408, and the amendment was adopted by the following vote: Yeas, 65; nays, 28; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hawkins, Hendricks, Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Haley, Hansen, Hansey, Hayner, Hurley M., Juelling, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Haussler, Hurley G. S., Lee, North, Smith E. P.

On motion of Mr. Savage, the committee amendment to the title was adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2408 as amended by the House be placed on final passage.

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute Senate Bill No. 2408 as amended by the House to final passage, and the motion was carried by the following vote: Yeas, 65; nays, 31; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hendricks, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hurley M., Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Haussler, Smith E. P.

#### POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Haley.

Mr. Haley: "Representative Savage, could you answer my question now about the essential differences between Engrossed Substitute Senate Bill No. 2408 and Senate Bill No. 2500?"

Mr. Savage: "There is a three-man commission appointed by the Governor and he selects a director, and the director and the board together set the rules for negotiations—for peaceable negotiations that provide for the usual programs like arbitration and impasse, go through the impasse program and then eventually go through the different steps. It takes quite a few days—more than 30 days—and this is the time for all hotheads to cool off and reach a settlement."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2408 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 19; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juehing, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Hayner, Kuehnle, Leckenby, Matthews, Newhouse, Peterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Haussler, Smith E. P.

Engrossed Substitute Senate Bill No. 2408 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2423, by Committee on State Government (Originally sponsored by Senator Rasmussen – by Liquor Control Board request):

Prescribing changes in requirements for manufacture, sale, dispensing and possession of alcoholic beverages.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-second Day ex. sess., May 14, 1975.)

Ms. Sommers moved adoption of the committee amendment to the body of the bill.

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, Nelson, Peterson, Charnley, Bender and McKibbin to the committee amendment:

On page 10, line 20 after section 5 insert a new section as follows:

"Sec. 6. Section 23-S-1 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 5, Laws of 1949 as amended by section 1, chapter 208, Laws of 1971 1st ex. sess. and RCW 66.24.400 are each amended to read as follows:

There shall be a retailer's license, to be known and designated as class H license, to sell beer, wine and spirituous liquor by the individual glass, and beer and wine by the opened bottle, at retail, for consumption on the premises, including mixed drinks and cocktails compounded or mixed on the premises only. Such class H license may be issued only to bona fide restaurants, hotels and clubs, and to dining, club and buffet cars on passenger trains, and to dining places on passenger boats and airplanes, and to dining places at publicly owned civic centers with facilities for sports, entertainment, and conventions, and to legitimate theaters presenting live dramatic or musical productions, and to such other establishments operated and maintained primarily for the benefit of tourists, vacationers and travelers as the board shall determine are qualified to have, and in the discretion of the board should have, a class H license under the provisions and limitations of this title."

Renumber the remaining sections consecutively.

The amendment to the committee amendment was adopted.

Mr. Kalich moved adoption of the following amendment to the committee amendment:

On page 3, line 24 of the committee amendment after "times." insert:

"The certification card shall also contain in bold-face type a separately signed affirmation that the holder understands that unlawful purchase of alcoholic beverages or misuse of the certification card will result in criminal penalties including imprisonment or fine or both."

Mr. Kalich spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Kalich yielded to question by Ms. Sommers.

Ms. Sommers: "I think I appreciate what you are trying to do, but I wish I had a little more than 60 seconds to read the amendment so we could check on its impact. I notice it doesn't indicate what kind of penalties or fines. What was your intention?"

Mr. Kalich: "The fine is in the other part of the statutes. It's \$100 or something like that. This just makes them sign a separate deal on their identification card stating that they know they are subject to this fine."

#### POINT OF ORDER

Mr. Douthwaite: "I would like you to rule whether or not this amendment does fall within the scope and object of the committee amendment. I don't see anyplace in the bill dealing with punishments."

The Speaker: "Representative Douthwaite, you are one speech too late. You are allowed up to the first speech in order to raise the point of scope and object."

Representatives Ceccarelli and Paris spoke in favor of the amendment to the committee amendment, and Mr. Ehlers spoke against it.

The amendment to the committee amendment was adopted.

#### MOTION

Mr. Eikenberry moved that further action on Engrossed Substitute Senate Bill No. 2423 be deferred, and the bill be held for tomorrow's second reading calendar.

Representatives Eikenberry, Sommers and Kalich spoke in favor of the motion.

#### MOTION FOR RECONSIDERATION

On motion of Mr. Pardini, the House moved to reconsider the vote by which the amendment by Representative Kalich to the committee amendment was adopted.

The motion by Mr. Eikenberry, to defer further action of the bill until tomorrow, was carried.

#### MOTIONS

On motion of Mr. Charette, the House advanced to the eleventh order of business.

On motion of Mr. Charette, HOUSE JOINT MEMORIAL NO. 26 was made a special order of business for 10:00 a.m. on the next working day.

On motion of Mr. Charette, HOUSE BILL NO. 1162 was rereferred from Committee on Rules to Committee on Ways and Means - Appropriations.

Mr. Dunlap moved that the House adjourn until 8:30 a.m., Friday, May 23, 1975.

#### ROLL CALL

The Clerk called the roll on the motion to adjourn until 8:30 a.m., Friday, May 23, 1975, and the motion was lost by the following vote: Yeas, 36; nays, 57; not voting, 5.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Leckenby, Lee, Lysen, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley, G., Hurley, M., Jastad, Kalich, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith, R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn and Mr. Speaker.

Not voting: Representatives Bond, Haussler, Kilbury, Kuehne, Smith, E.P.

#### MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2725, by Committee on State Government (Originally sponsored by Senators Rasmussen and Lewis, Harry):

Providing for state defense of state employees in criminal actions.

The bill was read the second time and passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 2966, by Committee on Local Government (Originally sponsored by Senator Sellar):

Allowing fire districts to authorize and issue local improvement bonds and warrants.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2966 was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2966, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bausch, Bond, Haussler, Knowles, Luders, Randall, Seeberger, Smith E. P., Warnke.

Substitute Senate Bill No. 2966, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ENGROSSED SENATE BILL NO. 2194:

The House resumed consideration of the bill on second reading.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment, see Journal, Sixty-first Day ex. sess., May 13, 1975.)

Mr. King moved adoption of the committee amendment.

#### POINT OF ORDER

Mr. Parker: "Mr. Speaker, I would like you to examine the committee amendment in compliance with Rule 33. The title of the bill is 'An Act Relating to United States Senators . . . ' and the amendment goes in and deals with the make-up of the state central committees of the various political parties as well. It also deals with the fact that in the event they are not represented by population, the matter would be decided by a convention of the various political parties, which I feel is beyond the scope and object."

#### SPEAKER'S RULING

The Speaker: "Mr. Parker, I feel that your point of order is not well taken. I feel that the amendment is within the scope and object in that we are talking about appointments to the Senate by the Governor. It sets forth different restrictions, etc., and I think the committee amendment is merely changing those restrictions and although it does change and set up a different procedure than might be acceptable in the make-up of the various parties at the present time, I think it is within the scope because it does provide an alternative in the event the committee is not made up of one man, one vote. It's set over to the next state political convention in case there isn't an election before that time. I think it's just a matter of restrictions and definitions of the power of the Governor to appoint."

Representatives King and Hawkins spoke in favor of the committee amendment, and Representatives Fortson, Parker, Hurley (George) and Pardini spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to Engrossed Senate Bill No. 2194, and the amendment was not adopted by the following vote: Yeas, 28; nays, 64; not voting, 6.

Voting yea: Representatives Barnes, Bausch, Blair, Charnley, Chatalas, Cochrane, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Hanna, Hawkins, Hurley M., Kalich, King, Lysen, Maxie, Moon, O'Brien, Polk, Savage, Seeberger, Sherman, Sommers, Valle, Warnke, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Clemente, Conner, Curtis, Deccio, Dunlap, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks,

Hurley G. S., Jastad, Jueling, Kilbury, Knowles, Laughlin, Leckenby, Lee, Martinis, Matthews, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Schumaker, Shipoch, Smith R., Thompson, Tilly, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Boldt, Bond, Haussler, Kuehnle, Luders, Smith E. P.

Engrossed Senate Bill No. 2194 was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2386, by Senators Guess, Keefe, Donohue and Lewis (R.H.):

Amending the laws providing for licensing of snowmobiles and providing for the distribution of such fees.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-second Day ex. sess., May 14, 1975.)

Mrs. Hurley (Margaret) moved adoption of the committee amendment to the body of the bill.

Mr. Freeman moved adoption of the following amendment by Representative Curtis to the committee amendment:

On page 1, line 30 of the committee amendment strike all material down to and including "((therof))" on line 1, page 2 and insert the following:

"(4) Snowmobiles operated exclusively on lands owned and under the control of the owner thereof."

Representative Freeman spoke in favor of the amendment to the committee amendment, and Representatives Hurley (Margaret), Flanagan and Shipoch spoke against it.

The amendment to the committee amendment was not adopted.

Mrs. Hurley (Margaret) spoke in favor of the committee amendment, and it was adopted.

On motion of Mrs. Hurley (Margaret), the committee amendment to the title was adopted.

Engrossed Senate Bill No. 2386 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2047, by Senator Day:

Requiring the preservation of hospital treatment records.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-seventh Day ex. sess., May 9, 1975.)

On motion of Mr. Adams, the committee amendments were adopted.

#### POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Newhouse.

Mr. Newhouse: "I have a little problem in reading this bill in following the discharge of a patient from a nursing home. If the patient dies, is that considered a discharge? How long must the nursing home keep the records?"

Mr. Adams: "I imagine that's a discharge."

On motion of Mr. Adams, the committee amendment to the title was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2047 as amended by the House was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2047 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane,

Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haiey, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, Patterson, Smith E. P.

Engrossed Senate Bill No. 2047 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2251, by Committee on Constitution and Elections (Originally sponsored by Senators Grant and Washington):

Requiring financial disclosure by appointed officials.

The bill was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Journal, Thirty-third Day, April 15, 1975.)

Mr. King moved that the House do not adopt the committee amendments.

Representatives King and Brown spoke in favor of the motion.

#### MOTION

Mr. Newhouse moved that the committee amendments be laid on the table.

#### POINT OF ORDER

Mr. King: "To move to lay an amendment on the table is out of order, because it would take the bill with it without necessitating a vote on the bill. It would be killing the bill without a vote."

#### SPEAKER'S RULING

The Speaker: "I think the motion is in order. The fact that it will take the bill with it still leaves the motion in order."

The motion to lay the amendment on the table was not carried.

The motion not to adopt the committee amendment carried.

Mr. King moved adoption of the following amendment by Representatives King and Brown:

On page 1, line 25 of the printed substitute bill after "candidate" insert "and every person appointed to the appointive positions enumerated herein shall, within two weeks of being so appointed,"

Mr. King spoke in favor of the amendment, and Mr. Newhouse spoke against it.

The amendment was adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2251 as amended by the House be advanced to final passage.

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute Senate Bill No. 2251 as amended by the House to third reading and final passage, and the motion was lost by the following vote: Yeas, 59; nays, 36; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Brown, Chandler, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehne, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Haussler, Smith E. P.

Engrossed Substitute Senate Bill No. 2251 as amended by the House was passed to Committee on Rules for third reading.

**SIGNED BY THE SPEAKER**

The Speaker announced that he was about to sign:  
SUBSTITUTE HOUSE BILL NO. 29.

**MOTION**

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, May 23, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## SEVENTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 23, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Bond, Haussler, Moreau, Pardini and Smith (Edward), who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathleen Cullen and Greg Montemayor. Prayer was offered by the Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE GOVERNOR

May 22, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 22, 1975, Governor Evans approved the following House Bill, entitled:

SUBSTITUTE HOUSE BILL NO. 389: Exempting certain nongovernmental educational institutions from certain provisions of the unemployment compensation law.

Sincerely,  
CHI-DOOH LI  
Legal Counsel.

## MESSAGES FROM THE SENATE

May 22, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2519, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 22, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2169, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 22, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2395, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 22, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2416, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 22, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 15,  
 HOUSE BILL NO. 42,  
 HOUSE BILL NO. 189,  
 SUBSTITUTE HOUSE BILL NO. 239,  
 HOUSE BILL NO. 305,  
 HOUSE BILL NO. 388,  
 HOUSE BILL NO. 422,  
 HOUSE BILL NO. 475,  
 HOUSE BILL NO. 480,  
 SUBSTITUTE HOUSE BILL NO. 484,  
 SUBSTITUTE HOUSE BILL NO. 527,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. Charette presiding) called the House to order.

#### MOTION

On motion of Mr. Thompson, the House advanced to the sixth order of business.

#### SPECIAL ORDER OF BUSINESS

The hour of 10:00 a.m. having arrived, the Speaker (Mr. Charette presiding) declared the question before the House to be the special order of business, House Joint Memorial No. 26 on second reading.

HOUSE JOINT MEMORIAL NO. 26, by Representatives Becker, Kilbury, Berentson and Moreau:

Memorializing Congress.

The memorial was read the second time.

On motion of Mr. Kilbury, Substitute House Joint Memorial No. 26 was substituted for House Joint Memorial No. 26, and the substitute memorial was placed on the calendar for second reading.

Substitute House Joint Memorial No. 26 was read the second time.

#### MOTION

Ms. Becker moved that the rules be suspended to allow Representative Fortson's name to appear as the prime sponsor of House Joint Memorial No. 26.

Ms. Becker spoke in favor of the motion, and Mr. Polk spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and allow Representative Fortson to become prime sponsor of Substitute House Joint Memorial No. 26, and the motion failed to receive the necessary two-thirds majority by the following vote: Yeas, 58; nays, 32; not voting, 8.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Hawkins, Hurley G. S., Hurley M., Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Savage, Seeberger, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Jastad, Juelling, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Bond, Haussler, Lee, Moreau, Pardini, Randall, Sherman, Smith E. P.

Ms. Becker moved adoption of the following amendment by Representatives Becker and Fortson:

On page 1, beginning on line 4 after "ASSEMBLED" strike all material down to and including "COMMITTEE" on line 5 and insert "and to the Chairman of the Senate Labor and Public Welfare Committee"

Representatives Becker and Fortson spoke in favor of the amendment.

The amendment was adopted.

Ms. Becker moved adoption of the following amendment by Representatives Becker and Fortson:

On page 1, beginning on line 29 after "importance of" strike "HR 632, sponsored by Congressman Lloyd Meeds" and insert "S 806, sponsored by Senator Mark Hatfield"

Representatives Becker and Newhouse spoke in favor of the amendment, and it was adopted.

On motion of Ms. Becker, the following amendment by Representatives Becker and Fortson was adopted:

On page 2, beginning on line 6 after "Representatives," strike all material down to and including "Representatives," on line 8 and insert "the Chairman of the Senate Labor and Public Welfare Committee"

Substitute House Joint Memorial No. 26 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Joint Memorial No. 26 be placed on final passage.

Mrs. Fortson spoke in favor of the motion, and Mr. Newhouse spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute House Joint Memorial No. 26 to third reading and final passage, and the motion was carried by the following vote: Yeas, 70; nays, 20; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatlas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, Paris, Parker, Perry, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wójahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Curtis, Deccio, Dunlap, Eikenberry, Freeman, Gilleland, Greengo, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Patterson, Peterson, Polk, Schumaker.

Not voting: Representatives Bond, Haussler, Hayner, Moreau, O'Brien, Pardini, Randall, Smith E. P.

#### MOTION

Mr. Eikenberry moved that the rules be suspended and House Concurrent Resolution No. 33 be made a special order of business at 11:00 a.m. and the Clerk be instructed to distribute copies of the resolution.

#### MOTION

On motion of Mr. Thompson, the motion by Mr. Eikenberry was laid on the table.

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Engrossed Substitute House Joint Memorial No. 26.

Mrs. Fortson spoke in favor of passage of the memorial.

#### MOTION FOR RECONSIDERATION

Mr. Curtis, having voted on the prevailing side, moved that the House reconsider the vote by which the Eikenberry motion was laid on the table.

#### SPEAKER'S RULING (MR. CHARETTE PRESIDING)

The Speaker (Mr. Charette presiding): "Representative Curtis, the Speaker would like to call to your attention Reed's Rule 204, which concerns itself with reconsideration when permissible. 'A motion to reconsider is applicable to almost all motions. The exceptions are, the motion to adjourn, to lay on the table when decided in the affirmative, suspension of the rules and the motion to reconsider itself.' So your motion would be out of order."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Has there been intervening business since the Eikenberry motion was laid on the table?"

The Speaker (Mr. Charette presiding): "Yes, we went on to the third reading of the memorial."

## MOTION

Mr. Polk moved that the motion by Representative Eikenberry be removed from the table.

Mr. Polk rose to speak to the motion.

## SPEAKER'S RULING

The Speaker (Mr. Charette presiding): "The rules do not allow debate on a motion to remove from the table."

Mr. Polk: "I would like a citation for that, Mr. Speaker. It is my understanding that the rule is that a motion to remove from the table is fully debatable."

The Speaker (Mr. Charette presiding): "Mr. Polk, the Speaker would refer you to House Rule 49 which backs up Reed's Rule 117. House Rule 49 states in part, 'A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion . . . and one member may briefly state the opposition to the motion.' The first paragraph of that rule, 'A motion to adjourn, to take recess, to lay on the table and a call for the previous question shall be decided without debate. All incidental questions of order arising after a motion is made for either of the questions named in this rule and pending such motion, shall be decided, whether on appeal or otherwise, without debate.'"

Mr. Polk: "Mr. Speaker, I call to your attention Reed's Rule 201, which lists motions which are not debatable. The subject of removing a tabled motion from the table is not included in this rule and there is nothing in the rule that you recited which has to do with removing a motion which has been tabled. Therefore, I would submit, Mr. Speaker, that Reed's Rule 201, in not citing the motion, should be the one that should prevail and therefore it should be fully debatable."

The Speaker (Mr. Charette presiding): "Representative Polk, the Speaker wishes to thank you for your remarks, but feels that the ruling of the Chair is in order, and in accordance with the rules, and should stand."

The Speaker (Mr. Charette presiding) stated the question before the House to be Engrossed Substitute House Joint Memorial No. 26 on final passage.

Representatives Becker, Berentson and Deccio spoke in favor of the memorial, and Mr. Curtis spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Memorial No. 26 and the memorial passed the House by the following vote: Yeas, 81; nays, 8; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, Knowles, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, North, O'Brien, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Blair, Curtis, Eikenberry, Greengo, King, Lee, Newhouse, Seeberger.

Not voting: Representatives Barnes, Bond, Brown, Haussler, Moreau, Pardini, Patterson, Smith E. P., and Mr. Speaker.

Engrossed Substitute House Joint Memorial No. 26, having received the constitutional majority, was declared passed.

Mr. O'Brien assumed the Chair.

## MOTIONS

On motion of Mr. Eikenberry, Engrossed Substitute House Joint Memorial No. 26 was ordered transmitted immediately to the Senate.

Mr. Eikenberry moved that the rules be suspended, the Chief Clerk be instructed to prepare a concurrent resolution whereby the legislature may adjourn until 9:00 a.m., Monday, June 9, 1975 or until such time as the members of the legislature are notified by the leadership

of the House and the Senate that they are ready to reconvene and finally consider and vote on the budget and other significant matters ready at that time.

On motion of Mr. Charette, the motion by Mr. Eikenberry was laid on the table.

#### MESSAGE FROM THE SENATE

May 22, 1975

Mr. Speaker:

The Senate has receded from its amendment to SUBSTITUTE HOUSE BILL NO. 62 on page 1, line 7, and has passed the bill with the amendments to page 1, lines 1, 2, 10, 13 and 16, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 62 as amended by the Senate.

Mr. Gaspard spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 62 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, Moreau, Pardini, Smith E. P.,

Substitute House Bill No. 62 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

May 13, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 2106, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Perry, the House insisted on its position and again asked the Senate to concur.

The Speaker assumed the Chair.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2423, by Committee on State Government (Originally sponsored by Senator Rasmussen - by Liquor Control Board request):

Prescribing changes in requirements for manufacture, sale, dispensing and possession of alcoholic beverages.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker stated the question before the House to be reconsideration of the amendment by Representative Kalich to the committee amendment.

With the consent of the House, Mr. Kalich withdrew the amendment.

On motion of Mr. Ceccarelli, the following amendment to the committee amendment was adopted:

On page 1 of the committee amendment on the second line of subsection (4) after "((five))" strike "seven" and insert "ten"

Mr. Kalich moved adoption of the following amendment by Representatives Kalich and Sommers to the committee amendment:

On page 3, line 24 of the committee amendment after "times." insert the following:

"The certification card shall also contain in bold-face type an affidavit stating that the signer understands that conviction for unlawful purchase of alcoholic beverages or misuse of the certification card may result in criminal penalties including imprisonment or fine or both."

Representatives Kalich and Eikenberry spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Conner and Douthwaite to the committee amendment:

On page 7, section 5, line 13 insert a new subsection as follows:

"(11) It shall be unlawful to sell any intoxicating liquors, with or without a license on the grounds of any college, university, or community college supported in whole or in part by state funds, except to the extent liquor may be served but not sold under banquet permits issued pursuant to RCW 66.24.490."

#### POINT OF ORDER

Mr. Nelson: "I would like the Speaker to rule on the scope and object of this amendment, in light of the sections that we are presenting in this bill and the scope of the amendment, which directs itself to a completely different statute area, which has already been spoken to by this House in House Bill No. 307."

#### SPEAKER'S RULING

The Speaker: "I feel that your point of order is not well taken. House Bill No. 307 is not before us anymore. This is even different from House Bill No. 307 because it pertains just to the University of Washington and this pertains to all colleges. This bill does contain a rather broad assortment of liquor board regulations, and liquor regulations extending the serving of alcohol into a different type of establishment, so I think it's pretty well opened up, and this amendment would definitely come within the scope."

Representatives Tilly and Seeberger spoke in favor of the amendment to the committee amendment.

#### MOTION

On motion of Mr. Charette, further consideration of Engrossed Substitute Senate Bill No. 2423 on second reading was deferred, and the bill was ordered placed on the calendar following Engrossed Senate Bill No. 2611.

SENATE BILL NO. 2309, by Senator Marsh (by Department of Social and Health Services request):

Establishing concurrent jurisdiction between the United States and Washington to veterans hospitals located at Vancouver, Walla Walla and American Lake.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2309 was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on final passage of Senate Bill No. 2309, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, Moreau, Newhouse, Pardini, Randall, Smith E. P.

Senate Bill No. 2309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2346, by Senators Matson and Donohue (by Superintendent of Public Instruction request):

Changing requirements relating to sale of real property by school districts.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-fourth Day ex. sess., May 6, 1975.)

On motion of Mr. Bauer, the committee amendments were adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2346 as amended by the House was placed on final passage.

Representatives Bauer and Barnes spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on final passage of Engrossed Senate Bill No. 2346 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Not voting: Representatives Bond, Haussler, Martinis, Moreau, Pardini, Smith E. P., Wilson, and Mr. Speaker.

Engrossed Senate Bill No. 2346 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2401, by Senators Grant, Mardesich, Bailey and Ridder: -

Providing for adjustment of workmen's compensation payments.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-seventh Day ex. sess., May 9, 1975.)

Mr. Savage moved adoption of the committee amendment to page 2, adding a new subsection (2).

Representatives Savage and King spoke in favor of the amendment, and Representatives Matthews and Haley spoke against it.

Mr. Thompson demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 2, adding a new subsection (2), and the amendment was adopted by the following vote: Yeas, 67; nays, 19; not voting, 12.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Curtis, Deccio, Dunlap, Flanagan, Freeman, Gilleland, Haley, Hayner, Juelling, Kuehnle, Matthews, Nelson, Newhouse, Patterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Adams. Berentson, Bond, Brown, Hansey, Haussler, Lee, Martinis, Moreau, Pardini, Peterson, Smith E. P.

On motion of Mr. Savage, the balance of the committee amendments were adopted.

Engrossed Senate Bill No. 2401 as amended by the House was passed to Committee on Rules for third reading.

**REENGROSSED SUBSTITUTE SENATE BILL NO. 2526**, by Committee on Ecology (Originally sponsored by Senator Washington):

Providing for the conservation and protection of archaeological resources.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Reengrossed Substitute Senate Bill No. 2526 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 2526, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Fischer, Haussler, Moreau, Pardini, Smith E. P.

Reengrossed Substitute Senate Bill No. 2526, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SENATE BILL NO. 2611**, by Senator Lewis (R.H.) – (by Secretary of State request):

Providing for automatic transfer of voter registration in county when address appears changed on precinct list of voters.

The bill was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-seventh Day ex. sess., May 9, 1975.)

On motion of Mr. King, the committee amendments were adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2611 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2611 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bausch, Bond, Curtis, Douthwaite, Haussler, Knowles, Luders, Moreau, Pardini, Smith E. P., Warnke.



Engrossed Senate Bill No. 2611 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2423:**

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment by Representatives Tilly, Conner and Douthwaite to the committee amendment.

Representatives Tilly and Douthwaite spoke in favor of the amendment to the committee amendment, and it was adopted.

On motion of Mr. Newhouse, the following amendment to the committee amendment by Representatives Newhouse and Sommers was adopted:

On page 10, line 20 of the committee amendment after "board." insert the following:

"NEW SECTION. Sec. 11. There is added to chapter 62, Laws of 1933 ex. sess. and to chapter 66.24 RCW a new section to read as follows:

There shall be a spirituous liquor retailer's license to be designated as class K; a special license to a nonprofit organization to sell spirituous liquor as defined in RCW 66.24.410 by the glass, including mixed drinks and cocktails compounded or mixed on the premises only, to their members and invited guests at special occasions at a specified date and place when said special occasion is not open to the general public; fee twenty-five dollars per day. Sale, service, and consumption of spirituous liquor is to be confined to specified premises, or designated areas only. Spirituous liquor so sold shall be purchased at a state liquor store or agency without discount at retail prices including all taxes. No more than two such licenses may be issued to any one nonprofit organization during a calendar year."

Re-number the remaining sections consecutively.

Mr. Newhouse moved adoption of the following amendment to the committee amendment:

On page 10, line 20 insert the following new section:

"NEW SECTION. Sec. 12. There is added to chapter 62, Laws of 1933 ex. sess. and to chapter 66.44 RCW a new section to read as follows:

No person shall knowingly or willfully resist, intimidate, or obstruct any county or municipal peace officer, or liquor enforcement officer, in the administration or enforcement of provisions of this title, or aid and abet such resistance, intimidation, or obstruction. Any person who violates this section shall be guilty of a misdemeanor."

Re-number the remaining sections consecutively.

Representatives Newhouse and Ceccarelli spoke in favor of the amendment, and Representatives Charette, Ehlers, Eikenberry, Kalich and Parker spoke against it.

The amendment to the committee amendment was not adopted.

The committee amendment as amended was adopted.

On motion of Ms. Sommers the following amendment to the title amendment was adopted:

On page 1, line 30 strike "a section" and insert "sections"

On motion of Ms. Sommers, the committee amendment to the title as amended was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2423 as amended by the House was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2423 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 10; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckeny, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Parker, Patterson, Pery, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Chandler, Chatalas, Conner, Eng, Lee, Lysen, Matthews, Seeberger, Williams, Zimmerman.

Not voting: Representatives Bond, Haussler, Moreau, Pardini, Paris, Smith E. P.

Engrossed Substitute Senate Bill No. 2423 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Haussler, Luders, Moreau, Pardini and Smith (Edward), who were excused.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2332, by Senators Bottiger and Bluechel:

Amending laws relating to insurers' assessments.

The bill was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 4, following line 20 add a new section as follows:

"NEW SECTION. Sec. 3. There is added to Title 48 RCW a new section to read as follows:

In the event that a motor vehicle has been totally destroyed the measure of damages recoverable by a claimant shall include the reasonable loss of use of said motor vehicle subject to any limitations that may be imposed by chapter 4.22 RCW or by any contractual agreement. For the purposes of this section, 'motor vehicle' means any passenger vehicle required to be registered with the department of motor vehicles and all motorcycles whether or not required to be registered with the department of motor vehicles."

#### POINT OF ORDER

Mr. Ceccarelli: "I would like you to rule on the scope and object of this amendment."

#### SPEAKER'S RULING

The Speaker: "Representative Polk, I feel that the point of order is well taken. I feel that the amendment is outside the scope of the bill. The title of the bill is broad enough but the subject matter of the bill is not."

#### MOTION

Ms. Becker moved that Engrossed Senate Bill No. 2332 be rereferred to Committee on Ways and Means - Appropriations.

Representatives Becker and Moon spoke in favor of the motion, and Representatives Ceccarelli and Blair spoke against it.

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Ms. Cochrane.

Ms. Cochrane: "Would this bail out any near-future insurance companies that might default, or is this just a one-time thing?"

Mr. Ceccarelli: "The Washington Life and Disability Insurance Association will form for the Federal Old Line, but it would also address itself to any future companies that went broke. The bill that we are passing is allowing that association to make up the deficit in order to take care of the policyholders of Federal Old Line. They paid some \$2.5 million already in order to transfer these policies from Federal Old Line, and this additional money is to meet it to bring the existing policyholders of that company up to date."

Mr. Seeberger spoke in favor of the motion, and Representatives Newhouse and Parker spoke against it.

## POINT OF PERSONAL PRIVILEGE

Mr. Randall: "The last speaker said that a breach of faith would occur if this came to Committee on Revenue because of some killing effect. I think that the position of the Chairman and the position of the committee is not a killing or advocating position, it's an incisive look-at, and to infer that I'm going to kill it or someone else is going to kill it, is an unfair posture and I want to make that point clear."

## POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Hawkins.

Mr. Hawkins: "Are we setting a precedent that may affect future liabilities of the state?"

Mr. Ceccarelli: "No."

Ms. Sommers spoke in favor of the motion to rerefer the bill to committee, and Mr. Deccio spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion by Representative Becker to rerefer Engrossed Senate Bill No. 2332 to Committee on Ways and Means – Appropriations, and the motion was lost by the following vote: Yeas, 32; nays, 54; not voting, 12.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Gaines, Hanna, Hawkins, Hurley G. S., Laughlin, Lysen, Maxie, McKibbin, Moon, North, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Valle, Williams.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Brown, Ceccarelli, Chandler, Charette, Chatalas, Conner, Curtis, Deccio, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Hendricks, Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Leckenby, Lee, Matthews, May, McCormick, Nelson, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Schumaker, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Dunlap, Gaspard, Haussler, Hayner, Kalich, Luders, Martinis, Moreau, Pardini, Smith E. P.

Mr. Gaspard moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2332 be placed on final passage.

## ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 2332 to third reading and final passage, and the motion was carried by the following vote: Yeas, 61; nays, 29; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Berentson, Blair, Brown, Ceccarelli, Chandler, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hendricks, Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Leckenby, Lee, Lysen, Martinis, Matthews, May, McCormick, Nelson, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Polk, Savage, Schumaker, Shinpoch, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Gaines, Gaspard, Hawkins, Hurley G. S., Laughlin, Maxie, McKibbin, Moon, North, Randall, Seeberger, Sherman, Smith R., Sommers, Thompson, Valle, Williams.

Not voting: Representatives Bond, Haussler, Hayner, Luders, Moreau, Pardini, Peterson, Smith E. P.

## POINT OF PERSONAL PRIVILEGE

Mr. Moon: "Representative Deccio made reference to something that I had said and I think he had a misunderstanding of what it was. He said that I thought that the people of the state would be paying for this and that is correct. The people of the state will be paying for this by this proposal because they will be paying for it just as sure as if we made a direct appropriation because if we get less money into the general fund—"

The Speaker: "Representative Moon, I think you are going a little far astray from what we normally use points of personal privilege for. That's for when a person's motives have been impugned, so I would appreciate it if you would restrict your remarks to that."

Mr. Moon: "Well, Representative Deccio indicated that I didn't understand this, what it was, and I wanted to make it perfectly clear that he did know that I understood what is being

done by this bill, and that is that regardless of whether we make a direct appropriation or indirectly, the people of the state are going to pay for it."

Representatives Randall, O'Brien, Deccio and Ceccarelli spoke in favor of the bill, and Representatives Moon and Becker spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2332, and the bill passed the House by the following vote: Yeas, 65; nays, 25; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Berentson, Blair, Brown, Ceccarelli, Chatalas, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, King, Knowles, Kuehne, Leckenby, Lee, Martinis, Matthews, May, McCormick, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shipoch, Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Boldt, Chandler, Charette, Charnley, Clemente, Cochrane, Douthwaite, Eng, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, Laughlin, Lysen, Maxie, McKibbin, Moon, Seeberger, Sherman, Valle, Williams.

Not voting: Representatives Bond, Haley, Haussler, Luders, Moreau, Pardini, Peterson, Smith E. P.

Engrossed Senate Bill No. 2332, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2634, by Senators Mardesich and Lewis (Harry):

Authorizing allowances for legislative members—elect.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-second Day ex. sess., May 14, 1975.)

On motion of Ms. Sommers, the committee amendments were adopted.

#### MOTION

Mr. Blair moved that Engrossed Senate Bill No. 2634 be rereferred to Committee on Ways and Means – Appropriations.

Representatives Blair and Deccio spoke in favor of the motion, and Ms. Sommers spoke against it.

The motion was lost.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2634 as amended by the House was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill, and Mr. Deccio spoke against it.

#### ROLL CALL

The Clerk called the roll on final passage of Engrossed Senate Bill No. 2634 as amended by the House, and the bill passed the House by the following vote: Yeas, 69; nays, 20; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Kuehne, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Newhouse, North, O'Brien, Parker, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Greengo, Hayner, Juelling, Matthews, Nelson, Paris, Peterson, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Haley, Haussler, Knowles, Luders, Moreau, Pardini, Patterson, Smith E. P.

Engrossed Senate Bill No. 2634 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2727, by Committee on Local Government (Originally sponsored by Senator Sellar):

Setting compensation for port commissioners.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, Sixty-second Day ex. sess., May 14, 1975.)

Mr. Hanna moved the committee amendment be adopted, and Mr. Lysen spoke in favor of the motion.

The committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2727 as amended by the House was placed on final passage.

Representatives Hanna, Curtis and Bausch spoke in favor of passage of the bill, and Representatives North and Leckenby spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2727 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 12; not voting, 12.

Voting yea: Representatives Adams, Amen, Bagnariol, Bausch, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lysen, May, McCormick, Moon, Nelson, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Berentson, Hansey, Hayner, Leckenby, Lee, Matthews, Maxie, North, Polk, Zimmerman.

Not voting: Representatives Barnes, Bond, Curtis, Deccio, Haley, Haussler, Luders, Martinis, McKibbin, Moreau, Pardini, Smith E. P.

Engrossed Substitute Senate Bill No. 2727 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 2730, by Committee on Agriculture (Originally sponsored by Senators Lewis (Harry), Bailey, Murray, North, Peterson, Gould, Francis, Scott, Sandison, Guess and Bluechel):

Prescribing requirements for humane treatment of animals.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-third Day ex. sess., May 5, 1975.)

On motion of Mr. Kilbury, the committee amendments were adopted.

On motion of Mr. Kilbury, the following amendment by Representatives Kilbury and Zimmerman was adopted:

On page 1, line 30 after "or" strike "sustenance" and insert "sustenance"

Mrs. Erickson moved adoption of the following amendment:

On page 5, line 31 after "practices" insert "or practices of veterinarians licensed pursuant to chapter 18.92 RCW"

Representatives Erickson, Moon and Douthwaite spoke in favor of the amendment, and Representatives North, Ceccarelli, Polk and Martinis spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Erickson to Substitute Senate Bill No. 2730, and the amendment was not adopted by the following vote: Yeas, 27; nays, 58; not voting, 13.

Voting yea: Representatives Boldt, Brown, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Gaines, Gaspard, Hanna, Hawkins, Jastad, Kalich, Kilbury, Knowles, Laughlin, Leckenby, McKibbin, Moon, Savage, Sommers, Valle, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fortson, Freeman, Gallagher, Greengo, Hansen, Hansey, Hayner, Hendricks, Hurley G. S., Hurley M., King, Lee, Martinis, Matthews, Maxie, May, McCormick, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Randall, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Thompson, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Bond, Gilleland, Haley, Haussler, Juelling, Kuehnle, Luders, Lysen, Moreau, Pardini, Polk, Smith E. P.

## MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 2730 as amended by the House be placed on final passage.

Mr. Ceccarelli spoke in favor of the motion, and Mr. Moon spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to advance Substitute Senate Bill No. 2730 as amended by the House to third reading and final passage, and the motion was lost by the following vote: Yeas, 59; nays, 30; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Fortson, Freeman, Gaspard, Greengo, Hansen, Hansey, Hayner, Hendricks, Hurley M., Kilbury, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Martinis, Maxie, May, McCormick, McKibbin, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Seeberger, Sherman, Shinpoch, Smith R., Thompson, Tilly, Warnke, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bausch, Brown, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Gaines, Gallagher, Gilleland, Hanna, Hawkins, Hurley G. S., Jastad, Kalich, King, Lysen, Moon, Savage, Schumaker, Sommers, Valle, Williams, Wilson, Wojahn.

Not voting: Representatives Bond, Haley, Haussler, Juelling, Luders, Matthews, Moreau, Pardini, Smith E. P.

## STATEMENT FOR THE JOURNAL

I voted against this measure because it starts a costly, unwise precedent. If we pay all voluntary elected groups such as port commissioners, school boards, etc., we raise potential costs to taxpayers, and we do not necessarily obtain better volunteers. Most port commissioners enjoy their work and they go to many stimulating and interesting conventions in different places and find this good "compensation."

HAROLD S. ZIMMERMAN, 17th District.

Substitute Senate Bill No. 2730 as amended by the House was passed to Committee on Rules for third reading.

The Speaker called on Mr. O'Brien to preside.

ENGROSSED SENATE BILL NO. 2904, by Senators Goltz, Wanamaker and Jolly:

Amending laws relating to the dairy commission and dairy products.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2904 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on final passage of Engrossed Senate Bill No. 2904, and the bill passed the House by the following vote: Yeas, 85; nays, 1; not voting, 12.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks,

Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Douthwaite.

Not voting: Representatives Bond, Haley, Haussler, Jueling, Luders, Moreau, Pardini, Patterson, Randall, Smith E. P., Smith R., Wilson.

Engrossed Senate Bill No. 2904, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2910, by Senators Bottiger and Walgren:

Increasing fee to county auditor appointed by the director to issue vehicle license plates.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2910 was placed on final passage.

Mr. Kalich spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2910, and the bill passed the House by the following vote: Yeas, 73; nays, 13; not voting, 12.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Newhouse, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Dunlap, Freeman, Gilleland, Hayner, Hendricks, Kuehnle, Lee, Matthews, Nelson, Polk, Schumaker, Warnke.

Not voting: Representatives Bond, Deccio, Haley, Haussler, Jueling, Luders, Moreau, Pardini, Patterson, Peterson, Smith E. P., Wilson.

Senate Bill No. 2910, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2913, by Senators McDermott, Day and Ridder:

Permitting university medical graduates of foreign medical schools or colleges to become physician assistants for a limited number of years.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifty-seventh Day ex. sess., May 9, 1975.)

On motion of Mr. Hanna, the committee amendment was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2913 as amended by the House was placed on final passage.

Mr. Hanna spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2913 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bagnariol, Bond, Haley, Haussler, Jueling, Luders, Moreau, Pardini, Patterson, Shinpoch, Smith E. P., Wilson.

Engrossed Senate Bill No. 2913 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2090, by Senators Stortini and Murray (by Superintendent of Public Instruction request):

Making miscellaneous changes in education code.

The bill was read the second time.

#### MOTION

On motion of Mr. Charette, further consideration of Engrossed Senate Bill No. 2090 was deferred, and the bill was ordered placed on the second reading calendar following Engrossed Substitute Senate Bill No. 2006.

SENATE BILL NO. 2109, by Senators Donohue and Walgren (by Department of Motor Vehicles request):

Requiring the deposit of application and inspection fees in the motor vehicle fund.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2109 was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2109, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bond, Haley, Haussler, Jueling, Luders, Martinis, McKibbin, Moreau, Pardini, Smith E. P.

Senate Bill No. 2109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2124, by Senator Scott:

Repealing laws relating to mine to market roads.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2124 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2124, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.



Not voting: Representatives Barnes, Bond, Eikenberry, Haley, Haussler, Juelling, Luders, Moreau, Pardini, Smith E. P.

Senate Bill No. 2124, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2227, by Senators Guess and Donohue:

Authorizing acquisition of surplus Expo facilities for Walla Walla community college.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendment, see Journal, Eighteenth Day ex. sess., March 31, 1975.)

Committee on Ways and Means - Appropriations recommendation: Majority, do pass without Higher Education Committee amendment.

Ms. Maxie moved adoption of the committee amendment.

Mr. Shinpoch spoke against adoption of the committee amendment, and it was not adopted.

Mrs. Wojahn moved adoption of the following amendment:

On page 1, line 4 strike all material in section 1 as amended, down to and including all material on line 20 of the printed bill.

Representatives Wojahn and Shinpoch spoke in favor of the the amendment, and Representatives Warnke and Kilbury spoke against it.

The amendment was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2227 was placed on final passage.

#### POINT OF INQUIRY

Mr. Warnke yielded to question by Mrs. Wojahn.

Mrs. Wojahn: "You mentioned that the state is saving lots and lots of money because there were plans being drawn up for a facility costing \$1.4 million. Was that for a performing arts building?"

Mr. Warnke: "I believe it was, Representative Wojahn, but the title of performing arts center is really misleading. When the state board and OPP&FM went through the plans, the building is not going to be just used for performing arts, it is also an academic and classroom-oriented building, so that drama classes, for example, band, and all those types of fine arts classes are also going to be held in there as well as the performing art functions themselves."

Mrs. Hayner spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Barnes.

Mr. Barnes: "I'm a little confused. I thought we had a capital budget which would include community college buildings. Is that true?"

Mr. Shinpoch: "Yes."

Mr. Barnes: "Then I'm curious as to why this building is not included in that budget rather than in a special appropriation on a separate bill?"

Mr. Shinpoch: "Because it was a special request and it is being handled as a special request. We did not put it in the regular budget to be handled as a routine item; we put it out as a special request for everyone to look at."

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mrs. Valle.

Mrs. Valle: "I would like to know if we are buying back a building that we have already paid for in Expo, or did the Republic of China purchase this building?"

Mr. Shinpoch: "I'm not certain that I can give you a for-sure answer. I can tell you that my understanding is that the building was paid for and built by the Republic of China. It was

my understanding there were no state dollars in it. I can only tell you what my understanding is."

Representatives Hurley (Margaret), Wojahn, May and Kilbury spoke in favor of passage of the bill.

Mr. Bausch demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2227, and the bill passed the House by the following vote: Yeas, 80; nays, 7; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Eng, Erickson, Hawkins, Seeberger, Valle, Wojahn.

Not voting: Representatives Bond, Gilleland, Haley, Haussler, Juelling, Luders, Maxie, Moreau, Pardini, Parker, Smith E. P.

Engrossed Senate Bill No. 2227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2006, by Committee on State Government (Originally sponsored by Senators Henry, Beck, Talley, Stortini, Lewis (Harry), Knoblauch, Benitz and Wanamaker):

Creating a state department of veterans affairs.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-ninth Day ex. sess., May 1, 1975.)

Ms. Sommers moved adoption of the committee amendment.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn, Valle, Sommers, Fortson, North, Becker, Lee, Erickson and Sherman to the committee amendment:

On page 9 of the committee amendment after section 24 insert the following new sections:

**NEW SECTION.** Section 25. The legislature reaffirms that the public policy of this state is to insure equal opportunity for all of its citizens and declares its intent to implement Article 31 of the Constitution of the state of Washington, the equal rights amendment. The legislature further finds that in order to meet the requirements of Article 31 of the Constitution, it is desirable to direct a continuing evaluation and study of state laws and regulations as they affect women; and further, to encourage the education of the citizens of this state in respect to public policy as it relates to women and to encourage the promotion of equality. Therefore the legislature deems it necessary to create a council to carry out these purposes most effectively.

**NEW SECTION.** Sec. 26. There is hereby established the Washington state women's council in the office of governor.

**NEW SECTION.** Sec. 27. (1) The council shall consist of sixteen members appointed by the governor, and shall include two members chosen by the speaker of the house of representatives, not of the same political party, and two members chosen by the president of the senate, not of the same political party. These appointees may be members of the body from which appointed. The speaker of the house, the president of the senate, and the governor shall solicit recommendations from interested persons and organizations for appointments to the council, and shall give such recommendations due consideration.

(2) The members shall hold office commencing July 1, 1975, for three years and until their successors are chosen and qualified. Five of the initial appointees shall be appointed for one-year terms, five shall be appointed for two-year terms and shall include the two chosen by the speaker of the house and the two chosen by the president of the senate, and six shall be appointed for three-year terms. Vacancies shall be filled in the same manner as the original appointments. The terms of all members will terminate with the expiration of the act.

(3) Members shall receive per diem allowances and reimbursement for actual travel expenses incurred in the performance of their duties in the same manner as provided for state officials generally in chapter 43.03 RCW as now or hereafter amended.

(4) The governor shall appoint an executive director of the council who shall be one of three nominated by the council for the position.

NEW SECTION. Sec. 28. The executive director shall appoint a staff who shall be state employees pursuant to Title 41 RCW.

NEW SECTION. Sec. 29. (1) The council shall adopt rules and regulations necessary to carry out the purposes of this chapter.

(2) The council shall advise state departments and agencies on the development and implementation of comprehensive and coordinated policies, plans, and programs to insure equal opportunity for all women.

(3) The council is authorized to gather data and disseminate information to the public in order to implement the purposes of this chapter.

(4) The council shall make such recommendations to the governor and the legislature relating to changes in administrative practices and existing laws relating to women or particularly affecting women as it finds necessary.

NEW SECTION. Sec. 30. In carrying out its duties the council may establish such relationships with public and private institutions, local governments, and private industry as may be needed to promote the purposes of this chapter and particularly to promote equal opportunity for women in government, education, and employment.

NEW SECTION. Sec. 31. The council shall have authority to receive such gifts, grants, and endowments from private sources as may be made from time to time in trust or otherwise for the use and benefit of the purposes of the council and to expend the same or any income therefrom according to the terms of said gifts, grants, or endowments, and the purposes of this chapter. The executive director shall make a report of such funds received from private sources to the legislative budget committee on a current basis. Such funds received from private sources shall not be applied to reduce or substitute for the council's budget as appropriated by the legislature, but shall be applied and expended toward projects and functions which were not funded by the legislature.

NEW SECTION. Sec. 32. If any provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of the chapter, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 33. This 1975 act shall expire automatically on June 30, 1977, unless such expiration date be removed or extended by subsequent act of the legislature if the purposes of the act have not been accomplished.

NEW SECTION. Sec. 34. To carry out the provisions of this act there is appropriated to the Washington state women's council from the general fund for the biennium ending June 30, 1977, the sum of eighty-nine thousand one hundred forty-four dollars, or so much thereof as shall be necessary.

NEW SECTION. Sec. 35. Sections 25 through 33 of this 1975 act shall constitute a new chapter in Title 43 RCW."

Renumber the remaining section or sections consecutively.

#### POINT OF ORDER

Mr. Amen: "Mr. Speaker, I would like you to rule on scope and object of this amendment."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears to the Speaker that the committee amendment pertains to a new department of veterans' affairs, the creation of it, certain duties in connection with the department of veterans' affairs. The amendment to the amendment pertains to the creation of the reestablishment of the Council on Women's Affairs. It would appear to the Speaker that the amendment isn't germane to the original committee amendment. This is in accordance with House Rule 33, which states, in part, 'No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; . . .' This also follows with Reed's Rule 160 relative to amendments must be germane. It appears to the Speaker that the amendment to the amendment is not germane; it's an entirely different subject matter from the committee amendment. I am going to rule the amendment to the amendment out of order."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment.

The committee amendment was adopted.

On motion of Ms. Sommers, the committee amendment to the title was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2006 as amended by the House was placed on final passage.

Representatives Conner and Hendricks spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Barnes.

Mr. Barnes: "I was looking on this for a fiscal impact; does it have one?"

Mr. Conner: "Yes, it's on your sheet—the Department of Social and Health Services, \$375,000. The figure is in the budget, but I certainly don't believe that figure and can't understand why there would be that type of a fiscal impact when you're transferring those functions as the bill reads."

Mr. Conner spoke again in favor of the bill, and Mr. Barnes spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2006 as amended by the House, and the bill passed the House by the following vote: Yeas, 66; nays, 18; not voting, 14.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eikenberry, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Chandler, Charnley, Curtis, Douthwaite, Dunlap, Eng, Flanagan, Freeman, Hayner, Lee, Matthews, Newhouse, Peterson, Polk, Tilly.

Not voting: Representatives Bond, Brown, Deccio, Haley, Haussler, Jueling, Luders, Moreau, Nelson, Pardini, Paris, Patterson, Sommers, Zimmerman.

Engrossed Substitute Senate Bill No. 2006 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. Peterson moved that the House immediately consider the rule change that he had proposed on the previous day.

The Speaker (Mr. O'Brien presiding): "It is customary to consider rule changes under the eighth order of business. For the present time we are on the sixth order of business."

## MOTION

On motion of Mr. Chatalas, all bills passed in today's proceedings were ordered transmitted immediately to the Senate.

ENGROSSED SENATE BILL NO. 2090, by Senators Stortini and Murray (by Superintendent of Public Instruction request):

Making miscellaneous changes in education code.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-first Day ex. sess., May 13, 1975.)

On motion of Mr. Bauer, the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2090 as amended by the House was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2090 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 3; not voting, 13.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hanna, Hansen, Hansey, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie,

May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Dunlap, Hayner, Hendricks.

Not voting: Representatives Amen, Bond, Brown, Greengo, Haley, Haussler, Jueling, Luders, Moreau, Pardini, Patterson, Peterson, Smith E. P.

Engrossed Senate Bill No. 2090 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### THIRD READING

ENGROSSED SENATE BILL NO. 2194, by Senators von Reichbauer, Washington, Grant and Störtini:

Providing for temporary appointments to fill vacancies in the office of United States senator.

The bill was read the third time and placed on final passage.

### MOTION

On motion of Mr. Charette, further consideration of Engrossed Senate Bill No. 2194 was deferred until after consideration of Engrossed Substitute Senate Bill No. 2251.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2251 as amended by the House, by Committee on Constitution and Elections (Originally sponsored by Senators Grant and Washington):

Requiring financial disclosure by appointed officials.

The bill was read the third time and placed on final passage.

Mr. King spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2251 as amended by the House, and the bill passed the House by the following vote: Yeas, 52; nays, 34; not voting, 12.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Dunlap, Ehlers, Erickson, Fischer, Flanagan, Fortson, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Boldt, Chandler, Curtis, Deccio, Douthwaite, Eikenberry, Eng, Freeman, Gaines, Gilleland, Greengo, Hansey, Hayner, Hendricks, Kilbury, Kuehne, Leckenby, Lee, Matthews, Nelson, Newhouse, Paris, Polk, Schumaker, Tilly, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bond, Brown, Haley, Haussler, Jueling, Luders, Moreau, Pardini, Patterson, Peterson, Randall, Smith E. P.

Engrossed Substitute Senate Bill No. 2251 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2194:

The House resumed consideration of the bill on third reading.

### MOTION

Mr. Hawkins moved that Engrossed Senate Bill No. 2194 be rereferred to Committee on Rules.

Representative Hawkins spoke in favor of the motion, and Representatives King and Parker spoke against it.

Mr. Hawkins spoke again in favor of the motion.

### ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Senate Bill No. 2194 to Committee on Rules, and the motion was lost by the following vote: Yeas, 37; nays, 51; not voting, 10.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Brown, Chandler, Charnley, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hanna, Hansey, Hawkins, Hayner, Hendricks, Kuehnle, Leckenby, Lee, Lysen, Matthews, Nelson, Newhouse, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hansen, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Bond, Haley, Haussler, Jueling, Kilbury, Luders, Moreau, Pardini, Peterson, Smith E. P.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2194.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2194, and the bill passed the House by the following vote: Yeas, 56; nays, 31; not voting, 11.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Chandler, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Brown, Haley, Haussler, Jueling, Kilbury, Luders, Moreau, Pardini, Peterson, Smith E. P.

Engrossed Senate Bill No. 2194, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2381 as amended by the House, by Senators Beck, Guss and Stortini:

Providing for annual review for cancellation of voters but allowing vote in last presidential election to be deemed vote within preceding thirty months.

The bill was read the third time and placed on final passage.

Mr. King spoke in favor of passage of the bill, and Mrs. Hurley (Margaret) spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2381 as amended by the House, and the bill passed the House by the following vote: Yeas, 58; nays, 31; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Hurley M., Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Haley, Haussler, Jueling, Luders, Moreau, Pardini, Peterson, Smith E. P.

Engrossed Senate Bill No. 2381 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2401 as amended by the House, by Senators Grant, Mardesich, Bailey and Ridder:

Providing for adjustment of workmen's compensation payments.

The bill was read the third time and placed on final passage.

Representatives Savage and King spoke in favor of the bill, and Mr. Matthews spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2401 as amended by the House, and the bill passed the House by the following vote: Yeas, 65; nays, 21; not voting, 12.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipnosh, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Hansen, Hayner, Kuehnle, Matthews, Nelson, Newhouse, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Not voting: Representatives Bender, Bond, Brown, Clemente, Haley, Haussler, Juelling, Luders, Moreau, Pardini, Peterson, Smith E. P.

Engrossed Senate Bill No. 2401 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 2725**, by Committee on State Government (Originally sponsored by Senators Rasmussen and Lewis, Harry):

Providing for state defense of state employees in criminal actions.

The bill was read the third time and placed on final passage.

Representatives Sommers and Hendricks spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2725, and the bill passed the House by the following vote: Yeas, 77; nays, 8; not voting, 13.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Newhouse, North, O'Brien, Paris, Parker, Perry, Randall, Seeberger, Sherman, Shipnosh, Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Dunlap, Freeman, Hansen, Hayner, Nelson, Polk, Schumaker, Tilly.

Not voting: Representatives Bond, Brown, Deccio, Haley, Haussler, Juelling, Luders, Moreau, Pardini, Patterson, Peterson, Savage, Smith E. P.

Substitute Senate Bill No. 2725, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

Due to malfunction of the voting machine, my vote was recorded as "Aye" and I intended to vote "Nay" on Substitute Senate Bill No. 2725.

FRANK HANSEN, 13th District.

**ENGROSSED SENATE JOINT RESOLUTION NO. 101** as amended by the House, by Senators Francis, Clarke, Marsh, Woody and Jones:

Creating a new judicial article in the Constitution of Washington.

The resolution was read the third time and placed on final passage.

Representatives Knowles and Eikenberry spoke in favor of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Resolution No. 101 as amended by the House, and the resolution passed the House by the following vote: Yeas, 84; nays, 2; not voting, 12.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Ceccarelli, Chandler, Charette, Charniel, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Schumaker, Zimmerman.

Not voting: Representatives Bond, Brown, Dunlap, Freeman, Haley, Haussler, Juelling, Luders, Moreau, Pardini, Peterson, Smith E. P.

Engrossed Senate Joint Resolution No. 101 as amended by the House, having received the constitutional majority, was declared passed.

## STATEMENTS FOR THE JOURNAL

We wish the record to show that we voted "Aye" on Engrossed Senate Joint Resolution No. 101.

RON DUNLAP, 41st District.  
KEMPER FREEMAN, 48th District.

## EXPLANATION OF VOTE

The effect of this important change in the Constitution was not clearly delineated for the smaller, rural counties. I voted "No" simply because of lack of information and explanation of this proposal.

HAL ZIMMERMAN, 17th District.

## MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

May 22, 1975

HOUSE BILL NO. 1033, Prime Sponsor: Representative Newhouse, providing for two year probationary period for certificated employees with special hearing procedure upon nonrenewal of contract. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 10 after "effective" insert "": PROVIDED, That the school district superintendent shall not be subject to the probationary period herein established"

On page 2, following line 12 insert two new subsections as follows:

"(1) That any certificated employee whose contract with a school district was not renewed because of a reduction in force within that school district, and who is employed for the following school year by a school district, shall be subject to a probationary period for such employment only if, and to the extent that, such nonrenewal occurred prior to the completion by such employee of a probationary period required by this section;

(2) That any certificated employee who has left employment in a district in which such employee has completed all or a portion of a required probationary period, and who is employed within five years by another school district, shall be subject only to the remaining portion, if any, of such probationary period: PROVIDED, That any certificated employee whose contract, subsequent to the effective date of the rules and regulations provided for in this 1975 amendatory act, is nonrenewed pursuant to RCW 28A.67.070 for a cause other than a reduction in force or who was discharged pursuant to RCW 28A.58.450, shall be subject to a full probationary period as required by this section whenever such employee shall next be employed by a school district;"

Renumber the remaining subsections consecutively.

On page 2, beginning on line 21 after "district's" strike all material down to and including "him" on line 22 and insert "board of directors or a hearing officer appointed by the board"

On page 4, line 36 after "employment." strike "Every" and insert "((Every)) Any"

On page 5, line 3 strike "((probationary)) evaluation-improvement" and insert "probationary"

Signed by Representatives Bauer, Chairman; Barnes, Vice Chairman; Boldt, Brown, Dunlap, Eng, Haley, Hayner, Hendricks, Whiteside.

MINORITY recommendation: Do not pass. Signed by Representative Valle.



To Committee on Rules for second reading.

May 22, 1975

**SUBSTITUTE SENATE BILL NO. 2654**, Original Prime Sponsor: Senator Benitz, enlarging scope of school use for excise tax on real estate sales. Reported by Committee on Ways and Means - Revenue.

**MAJORITY recommendation:** Do pass. Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Hawkins, Hurley (George), Kilbury, Moon, Nelson, Sommers.

To Committee on Rules for second reading.

May 22, 1975

**ENGROSSED SENATE BILL NO. 2863**, Prime Sponsor: Senator Marsh, compelling action by school boards to assure physical safety of pupils. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass with the following amendment:  
On page 1, line 14 after "regulations" strike "shall" and insert "need"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Dunlap, Fortson, Gaspard, Warnke.

To Committee on Rules for second reading.

May 21, 1975

**ENGROSSED SENATE BILL NO. 2895**, Prime Sponsor: Senator Day, amending law relating to blind vendors in public buildings. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Becker, Cochrane, Fortson, Greengo, Hanna, Hendricks, May, Peterson, Tilly, Whiteside.

To Committee on Rules for second reading.

#### SECOND READING

**ENGROSSED SENATE BILL NO. 2070**, by Senators Francis, von Reichbauer and Ridder (by Department of Labor and Industries request):

Revising regulations and payments to victims of crimes.

The bill was read the second time.

#### MOTION

On motion of Mr. Charette, further consideration of Engrossed Senate Bill No. 2070 was deferred, and the bill was ordered placed on the second reading calendar for the next working day.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2092**, by Committee on Judiciary (Originally sponsored by Senators Francis, Woody and Jones):

Enacting a new criminal code for crime against persons.

The bill was read the second time.

#### MOTION

On motion of Mr. Charette, further consideration of Engrossed Substitute Senate Bill No. 2092 was deferred, and the bill was ordered placed on the second reading calendar for the next working day.

#### MOTION

Mr. Charette moved that the House immediately consider Engrossed Senate Bill No. 2341 on second reading.

Mr. Eikenberry spoke against the motion.

## POINT OF ORDER

Mr. Amen: "I believe Rule 27 states that the bills on second reading have to be on the desk for two days before consideration."

The Speaker (Mr. O'Brien presiding): "Representative Amen, I think if you will read Rule 27 in total you will find that what you are stating under second reading of bills, '... unless otherwise provided by the Rules Committee.' The Rules Committee has placed these bills on the calendar for second reading."

## POINT OF INFORMATION

Mr. Amen: "Rule 27 in part says, 'No bill may be considered on second reading unless a calendar of bills for second reading and copies of any amendment made by a committee have been distributed to each member no later than 8:00 p.m. on the second day preceding such consideration unless otherwise provided by the Rules Committee.' Has the Rules Committee provided that we should not wait for the two days, or were these just pulled out of Rules Committee?"

The Speaker (Mr. O'Brien presiding): "Yes, they were. The Rules Committee provided and set forth and approved these bills for consideration on the calendar of today. We have approved the bills for consideration."

Mr. Amen: "When these bills were pulled by the Rules Committee, was there a special motion made that these be considered for today's calendar?"

The Speaker (Mr. O'Brien presiding): "More or less by unanimous consent. The Speaker has stipulated that these are the bills and there weren't any objections stated and we are trying to consider all Senate bills by tomorrow at 5:00 p.m. Your party was well represented in the Rules Committee and they more or less acquiesced. Everything is in order."

Mr. Amen: "What good is Rule 27 then if at any time the Rules Committee can pull out bills and put them on the next day's calendar?"

The Speaker (Mr. O'Brien presiding): "That's the purpose of Rule 27, to give the Rules Committee that latitude, particularly when we are trying to wind down a session, and also in view of the fact that we are all deeply concerned about the extent of this session."

The motion was carried.

ENGROSSED SENATE BILL NO. 2341, by Senators Bottiger, Beck and Matson (by Utilities and Transportation Commission request):

Making certain changes in the laws relating to public service companies.

The bill was read the second time.

## MOTION

On motion of Mr. Charette, further consideration of Engrossed Senate Bill No. 2341 was deferred, and the bill was ordered placed on the second reading calendar for the next working day.

## MOTION

On motion of Mr. Charette, the House moved to immediately consider Engrossed Substitute Senate Bill No. 2463 on second reading.

## POINT OF INFORMATION

Mr. Polk: "Mr. Speaker, in your discourse with Representative Amen regarding Rule 27, you referred to convention being the only reason that we apparently have these bills put before us on the desk and my question is, are we going to have the bills in our billbooks and on the desk when we consider them on second reading since none of these are in our billbooks?"

Mr. O'Brien: "That is one reason why we are being so considerate and we are setting them over until tomorrow."

Mr. Polk: "Mr. Speaker, are you telling me that we will have these bills in our billbooks before they are considered on second reading, or are you saying that the rule has been suspended by the Rules Committee?"

The Speaker (Mr. O'Brien presiding): "The bills will be in the billbooks tomorrow."

ENGROSSED SUBSTITUTE SENATE BILL NO. 2463, by Committee on Higher Education (Originally sponsored by Senators Sandison, Newschwander, Stortini, Odegaard, Guess and Donohue):

Relating to vocational education.

The bill was read the second time.

#### MOTION

On motion of Mr. Charette, further consideration of Engrossed Substitute Senate Bill No. 2463 was deferred, and the bill was ordered held for the second reading calendar for the next working day.

SENATE BILL NO. 2484, by Senators Sandison and Newschwander:

Allowing an officer or employee to receive accrued vacation when transferring from one state agency to another.

The bill was read the second time.

#### MOTION

On motion of Mr. Charette, further action on Senate Bill No. 2484 was deferred, and the bill was ordered placed on the second reading calendar for the next working day.

#### MOTION

On motion of Mr. Charette, the House advanced to the eighth order of business.

#### MOTIONS

Mrs. Lee moved that the House immediately consider an amendment to House Rule 47.

On motion of Mr. Charette, the motion by Representative Lee was laid on the table.

#### REMONSTRANCE TO THE LEGISLATURE

WHEREAS, Time is irreplaceable and among the most important intangible commodities we possess, it should, therefore, not be squandered, and

WHEREAS, We legislators are involved in a session which has seen the expenditure of large quantities of time and money in excess of any session in the history of Washington State, and

WHEREAS, We legislators have endeavored to perform at a level which was sincerely intended to be constructive, but now for reasons known and unknown, the Legislature has deteriorated into a condition which is widely accepted as nonproductive, and

WHEREAS, I, personally, have consistently supported and complimented the Democrat leadership in its successful attempts to prevent legislative fatigue previously experienced through continuous seven-days and late-night sessions, and

WHEREAS, I, for one, do not believe that the avoidance of Sunday and late-night sessions is the cause of the unfortunate situation in which we now find ourselves, and

WHEREAS, To continue the present unsuccessful procedures is obviously wrong, if not sinful,

THEREFORE, I submit to you that we all must share in this failure to properly conduct the business of the people of Washington State. We have failed to measure up to the expectations of the citizens. We are all a part of this process and, therefore, must stand responsible whether or not we have been in positions to exert leadership, and now

THEREFORE, I cannot, must not and will not withhold my objection to the apparent aimlessness of this session, which is resulting in a very rapid erosion of the public trust. I respectfully call upon all to admit that we have fallen short of our originally-stated goals, and I fervently hope that we will unite to bring this session to a conclusion now. I emphasize that this Remonstrance is not intended to be political. It is a sincere appeal for unity to accomplish all that is possible for the citizens of this state within a restricted time frame.

WILLIAM PARIS, 18th District.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:  
SUBSTITUTE HOUSE BILL NO. 62.

MOTION

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Saturday, May 24, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, May 24, 1975.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond, Haussler, Luders, Moreau, Pardini and Peterson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Molly St. Germain and Rolland Reed. Prayer was offered by the Reverend Arthur I. Anderson of the Glora Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE GOVERNOR

May 23, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 23, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 307: Repealing prohibition against sale of liquor on the University of Washington campus.

SUBSTITUTE HOUSE BILL NO. 308: Prescribing educational and professional requirements for the profession of optometry.

HOUSE BILL NO. 338: Revising qualifications for apprentice electricians.

HOUSE BILL NO. 339: Modifying plumber apprentice requirements.

HOUSE BILL NO. 750: Permitting libraries to pay in advance for books.

HOUSE BILL NO. 760: Permitting deduction of retired allowance for payment of health care.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

## MESSAGES FROM THE SENATE

May 23, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2133, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 23, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on SECOND SUBSTITUTE HOUSE BILL NO. 1146, and the President has appointed as conferees thereon: Senators Donohue, Newschwander, Odegaard.

Bill Gleason, Assistant Secretary.

May 23, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 206, and the President has appointed as conferees thereon: Senators Donohue, Newschwander, Odegaard.

Bill Gleason, Assistant Secretary.

May 23, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1143, and the President has appointed as conferees thereon: Senators Donohue, Newschwander, Odegaard.

Bill Gleason, Assistant Secretary.

May 23, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 972, and the President has appointed as conferees thereon: Senators Donohue, Odegaard, Newschwander.

Bill Gleason, Assistant Secretary.

May 23, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 265,  
HOUSE BILL NO. 314,  
ENGROSSED HOUSE BILL NO. 595,  
HOUSE BILL NO. 752,  
SUBSTITUTE HOUSE BILL NO. 932,  
HOUSE BILL NO. 1031,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 23, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2735,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 23, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 29,  
SUBSTITUTE SENATE BILL NO. 2123,  
SUBSTITUTE SENATE BILL NO. 2133,  
SENATE BILL NO. 2169,  
SENATE BILL NO. 2395,  
SENATE BILL NO. 2416,  
SUBSTITUTE SENATE BILL NO. 2519,  
SUBSTITUTE SENATE BILL NO. 2966,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

On motion of Mr. Thompson, the House advanced to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

May 23, 1975

HOUSE BILL NO. 1162, Prime Sponsor: Representative Shinpoch, relating to appropriations. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Bausch, Boldt, Charette, Chatalas, Ehlers, Erickson, Gaspard, Hawkins, Hurley (George), Hurley (Margaret), Kilbury, Luders, Moon, North, Smith (Rick), Sommers, Thompson, Valle, Warnke.

To Committee on Rules for second reading.

May 22, 1975

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2048, Original Prime Sponsor: Senator Knoblauch, revising laws on boating. Reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments, and that the amendments by the Committee on Parks and Recreation be adopted:

On page 1, line 19 after "through 18," strike "20, and 21" and insert "32, and 33"

On page 7, line 8 after "chapter," strike all material down to and including "1976." on line 13

On page 7, line 14 after "Sec. 11" strike all language down to and including "fund." on line 15

On page 7, section 11, line 16 after "treasurer and" strike all language down to and including "chapter" on line 21 and insert "deposited in the general fund"

On page 7, section 11, line 21 after "expenditures" strike "therefrom" and insert "of the council"

On page 9, line 36 after "holding" strike "five or more"

On page 12, following line 17 insert a new section as follows:

"Sec. 18. Section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090 are each amended to read as follows:

Effective for assessment in 1975 for taxes due and payable in 1976 and thereafter all ships and vessels taxable in the state other than those taxable under RCW 84.36.080 and those described in RCW 84.36.079, are exempt from all ad valorem taxes (~~except taxes levied for any state purpose and twenty percent of taxes levied for all other purposes~~).

On page 12, following line 33 insert new sections as follows:

"Sec. 20. Section 1, chapter 5, Laws of 1965 and RCW 43.99.010 are each amended to read as follows:

Washington is uniquely endowed with fresh and salt waters rich in scenic and recreational value. This outdoor heritage enriches the lives of citizens, attracts new residents and businesses to the state, and is a major support of its expanding tourist industry. Rising population, increased income and leisure time, and the rapid growth of boating and other water sports have greatly increased the demand for water related recreation, while waterfront land is rapidly rising in value and disappearing from public use. There is consequently an urgent need for the acquisition or improvement of waterfront land on fresh and salt water suitable for marine recreational use by Washington residents and visitors. To meet this need, it is necessary and proper that the portion of motor vehicle fuel taxes paid by boat owners and operators on fuel consumed in their watercraft (~~and not reclaimed as presently provided by law~~) should be expended for the acquisition or improvement of marine recreation land on the Pacific Ocean, Puget Sound, bays, lakes, rivers, reservoirs and other fresh and salt waters of the state.

Sec. 21. Section 2, chapter 5, Laws of 1965 as amended by section 1, chapter 56, Laws of 1972 ex. sess. and RCW 43.99.020 are each amended to read as follows:

Definitions: As used in this chapter:

(1) 'Marine recreation land' means any land with or without improvements which (a) provides access to, or in whole or in part borders on, fresh or salt water suitable for recreational use by watercraft, or (b) may be used to create, add to, or make more usable, bodies of water, waterways, or land, for recreational use by watercraft.

(2) 'Public body' means any county, city, town, port district, park and recreation district, metropolitan park district, or other municipal corporation which is authorized to acquire or improve public outdoor recreation land, and shall also mean Indian tribes now or hereafter recognized as such by the federal government for participation in the land and water conservation program.

(3) 'Tax on marine fuel' means motor vehicle fuel tax which is (a) tax on fuel used in, or sold or distributed for use in, any watercraft, and (b) (~~refundable pursuant to chapter 82.36 RCW, and (c)~~) paid to the director of motor vehicles with respect to taxable sales, distributions, or uses occurring on or after December 3, 1964.

(4) 'Watercraft' means any boat, vessel, or other craft used for navigation on or through (~~water~~) waterways within the state, but shall not include commercial marine vessels.

(5) 'Commercial marine vessels' shall include all watercraft while used in intrastate, interstate, or foreign commerce, or while transporting property and/or persons for hire or for profit, or while used in commercial or charter sport fishing.

(6) 'Committee' means the interagency committee for outdoor recreation.

(7) 'Waterways of the state' shall include all surface waters and watercourses within the territorial jurisdiction of the state of Washington.

Sec. 22. Section 7, chapter 5, Laws of 1965 and RCW 43.99.070 are each amended to read as follows:

Upon expiration of the time limited by RCW 82.36.330 for claiming of refunds of tax on marine fuel used in commercial marine vessels, the state of Washington shall succeed to the right to such refunds. From time to time, but at least once each biennium, the director of motor vehicles, after taking into account past and anticipated claims for refunds from and deposits to the marine fuel tax refund account (~~and the costs of carrying out the provisions of RCW 43.99.030~~), shall request the state treasurer to transfer to the outdoor recreation account such of the moneys in the marine fuel tax refund account as shall not be required for payment of such refund claims (~~or costs~~), and the state treasurer shall make such transfer.

Sec. 23. Section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 156, Laws of 1971 ex. sess. and RCW 82.36.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Motor vehicle' means every vehicle which is in itself a self-propelled unit, equipped with solid rubber, hollow-cushion rubber, or pneumatic rubber tires and capable of being moved or operated upon a public highway, except motor vehicles used as motive power for or in conjunction with farm implements and machines or implements of husbandry;

(2) 'Watercraft' means every boat, vessel, or other craft used for navigation on or through waterways within the state, but shall not include commercial marine vessels;

(3) 'Commercial marine vessels' shall include all watercraft while used in intrastate, interstate, or foreign commerce, or while transporting property and/or persons for hire or for profit, or while used in commercial or charter sport fishing;

((2)) (4) 'Motor vehicle fuel' means gasoline or any other inflammable gas or liquid, by whatsoever name such gasoline, gas or liquid may be known or sold, the chief use of which is as fuel for the propulsion of motor vehicles, or ((motorboats)) watercraft, or commercial marine vessels as defined in this section;

((3)) (5) 'Distributor' means every person who refines, manufactures, produces, or compounds motor vehicle fuel and sells, distributes, or in any manner uses it in this state; also every person engaged in business as a bona fide wholesale merchant dealing in motor vehicle fuel who either acquires it within the state from any person refining it within or importing it into the state, on which the tax has not been paid, or imports it into this state and sells, distributes, or in any manner uses it in this state;

((4)) (6) 'Service station' means a place operated for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles, watercraft, or commercial marine vessels;

((5)) (7) 'Department' means the department of motor vehicles;

((6)) (8) 'Director' means the director of motor vehicles;

((7)) (9) 'Dealer' means any person engaged in the retail sale of liquid motor vehicle fuels;

((8)) (10) 'Person' means every natural person, firm, partnership, association, or private or public corporation;

((9)) (11) 'Highway' means every way or place open to the use of the public, as a matter of right, for purposes of vehicular travel;

((10)) (12) 'Broker' means every person, other than a distributor, engaged in business as a broker, jobber, or wholesale merchant dealing in motor vehicle fuel or other petroleum products used or usable in propelling motor vehicles, watercraft, or commercial marine vessels, or in other petroleum products which may be used in blending, compounding, or manufacturing of motor vehicle fuel;

((11)) (13) 'Producer' means every person, other than a distributor, engaged in the business of producing motor vehicle fuel or other petroleum products used in, or which may be used in, the blending, compounding, or manufacturing of motor vehicle fuel;

((12)) (14) 'Distribution' means all withdrawals of motor vehicle fuel for delivery to others, to retail service stations, or to unlicensed bulk storage plants;

((13)) (15) 'Bulk storage plant' means, pursuant to the licensing provisions of RCW 82.36.070, any plant, under the control of the distributor, used for the storage of motor vehicle fuel to which no retail outlets are directly connected by pipe lines;

((14)) (16) 'Marine fuel dealer' means any person engaged in the retail sale of liquid motor vehicle fuel whose place of business and or sale outlet is located upon a navigable waterway;

(17) 'Waterways of the state' shall include all surface waters and watercourses within the territorial jurisdiction of the state of Washington.

Sec. 24. Section 82.36.220, chapter 15, Laws of 1961 as last amended by section 20, chapter 22, Laws of 1963 ex. sess. and RCW 82.36.220 are each amended to read as follows:

Every person who imports motor vehicle fuel into this state for his own use in equipment other than in motor vehicles, watercraft, or commercial marine vessels shall not, for that reason alone, be required to secure a distributor's license or to comply with any of the provisions of this chapter imposed upon a distributor or with the provisions of RCW 82.36.100; but such person shall make a report verified under oath and file the same with the ((director)) department on or before the tenth day of the succeeding month, showing the number of gallons of motor vehicle fuel so imported and the number of gallons of such motor vehicle fuel used during the preceding month, the name of the person from whom the motor vehicle fuel was purchased, the date of purchase, the place of storage, and the manner of use or intended use together with a description of the equipment in which the same is used. These reports shall be filed upon ((blanks)) forms furnished by the ((director)) department: PROVIDED, That any person coming into this state ((~~in an~~)) by aircraft ((~~or motor-boat~~)), watercraft, or commercial marine vessel shall not be required to make such a report ((~~in~~)) with respect to any motor vehicle fuel carried in the fuel tanks of such vehicle for the purpose of propelling such vehicle, and every person coming into this state in a motor vehicle or watercraft who shall transport in the fuel tanks of such vehicle motor vehicle fuel for the propulsion thereof shall be subject to all the provisions of the motor vehicle fuel importer use tax act applying to taxation of fuel in vehicles coming into this state, but if the motor vehicle fuel so brought into the state be removed from the fuel tanks of such vehicles or used for any purpose other than the propulsion of the vehicles, the person so importing motor vehicle fuel shall be subject to all the provisions of this chapter applying to distributors. The ((director)) department shall have the right, in order to establish the validity of any exemption, to examine the books and records of the claimant for such purpose, and the failure of the claimant to accede to the demand for such examination shall constitute a waiver of all rights to the exemption herein granted.

Sec. 25. Section 82.36.280, chapter 15, Laws of 1961 as last amended by section 1, chapter 138, Laws of 1972 ex. sess. and RCW 82.36.280 are each amended to read as follows:



Any person who uses any motor vehicle fuel for the purpose of operating any internal combustion engine not used on or in conjunction with (1) any motor vehicle licensed to be operated over and along any of the public highways, or (2) watercraft, and as the motive power thereof, upon which motor vehicle fuel excise tax has been paid, shall be entitled to and shall receive a refund of the amount of the motor vehicle fuel excise tax paid on each gallon of motor vehicle fuel so used, whether such motor vehicle excise tax has been paid either directly to the vendor from whom the motor vehicle fuel was purchased or indirectly by adding the amount of such excise tax to the price of such fuel. No refund shall be made for motor vehicle fuel consumed by any motor vehicle (~~as herein defined~~), that is required to be registered and licensed as provided in chapter 46.16 RCW, or for motor vehicle fuel consumed by any watercraft, as herein defined (~~and is operated over and along any public highway~~), except that a refund shall be allowed for motor vehicle fuel consumed: (1) In a motor vehicle owned by the United States that is operated off the public highways for official use; (2) By auxiliary equipment not used for motive power, provided such consumption is accurately measured by a metering device that has been specifically approved by the department or is established by either of the following formulae:

(a) For fuel used in pumping fuel or heating oils by a power take-off unit on a delivery truck, refund shall be allowed claimant for tax paid on fuel purchased at the rate of three-fourths of one gallon for each one thousand gallons of fuel delivered: PROVIDED, That claimant when presenting his claim to the department in accordance with the provisions of this chapter, shall provide to said claim, invoices of fuel oil delivered, or such other appropriate information as may be required by the department to substantiate his claim; or

(b) For fuel used in operating a power take-off unit on a cement mixer truck or load compactor on a garbage truck, claimant shall be allowed a refund of twenty-five percent of the tax paid on all fuel used in such a truck.

Sec. 26. Section 82.36.320, chapter 15, Laws of 1961 and RCW 82.36.320 are each amended to read as follows:

Any person claiming refund on motor vehicle fuel used other than in motor vehicles or watercraft as herein provided (~~and any person purchasing motor vehicle fuel from a dealer who is claiming refund on account of the sale of such fuel under RCW 82.36.305~~) may be required by the (~~director~~) department to also furnish information regarding the amount of motor vehicle fuel purchased from other sources or for other purposes during the period reported for which no refund is claimed.

Sec. 27. Section 82.36.330, chapter 15, Laws of 1961 as last amended by section 9, chapter 180, Laws of 1971 ex. sess. and RCW 82.36.330 are each amended to read as follows:

Upon (~~the~~) approval (~~of~~) by the (~~director~~) department of the claim for refund, the state treasurer shall draw a warrant upon the state treasury for the amount of the claim in favor of the person making such claim and the warrant shall be paid from the excise tax collected on motor vehicle fuel: PROVIDED, That the state treasurer shall deduct from each commercial marine use refund claim an amount equivalent to (~~one~~) the four tenths of a cent per gallon (~~and shall deposit the same~~) deposited in the coastal protection fund created by RCW 90.48.390. Applications for refunds of excise tax shall be filed in the office of the (~~director~~) department not later than the close of the last business day of a period thirteen months from the date of purchase of such motor vehicle fuel, and if not filed within this period the right to refund shall be forever barred, except that such limitation shall not apply to claims for loss or destruction of motor vehicle fuel as provided by the provisions of RCW 82.36.370. Any person or the member of any firm or the officer or agent of any corporation who makes any false statement in any claim required for the refund of excise tax, as provided in this chapter, or who collects or causes to be repaid to him or to any other person any such refund without being entitled to the same under the provisions of this chapter shall be guilty of a gross misdemeanor.

Sec. 28. Section 82.36.340, chapter 15, Laws of 1961 and RCW 82.36.340 are each amended to read as follows:

The (~~director~~) department may in order to establish the validity of any claim for refund require the claimant (~~to~~) (~~in the case of a dealer filing a claim for refund as provided by RCW 82.36.305~~) the person to whom such fuel was sold, to furnish such additional proof of the validity of the claim as the (~~director~~) department may determine, and may examine the books and records of the claimant or said person to whom the fuel was sold for such purpose. The records shall be sufficient to substantiate the accuracy of the claim and shall be in such form and contain such information as the (~~director~~) department may require. The failure to maintain such records or to accede to a demand for an examination of such records may be deemed by the (~~director~~) department as sufficient cause for denial of all right to the refund claimed on account of the transaction in question.

Sec. 29. Section 4, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.390 are each amended to read as follows:

The coastal protection fund is established to be used by the department as a revolving fund for carrying out the purposes of RCW 90.48.315 through 90.48.365 and RCW 78.52.020, 78.52.125, 82.36.330, 90.48.315, 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907. To this fund there shall be credited penalties, fees, and charges received pursuant to the provisions of RCW 90.48.315 through 90.48.365 and an amount equivalent to (~~one~~) four tenths of a cent per gallon from each gallon identified as from marine use (~~refund claim~~) under RCW (~~82.36.330~~) 43.99.030.

Moneys in the fund not needed currently to meet the obligations of the department in the exercise of its powers, duties, and functions under RCW 90.48.315 through 90.48.365 and RCW 78.52.020, 78.52.125, 82.36.330, 90.48.315, 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907 shall be deposited

with the state treasurer to the credit of the fund and may be invested in such manner as is provided for by law. Interest received on such investment shall be credited to the fund.

**NEW SECTION.** Sec. 30. There is added to chapter 82.36 RCW a new section to read as follows:

The director of the department of motor vehicles shall have full authority to adopt, amend, or repeal such rules and regulations as may be consistent with and necessary to carry out the provisions of this chapter.

**NEW SECTION.** Sec. 31. There is added to chapter 90.48 RCW a new section to read as follows:

It shall be unlawful for any person to discharge or permit the discharge of sewage from any watercraft into the waters of the state within three hundred yards of any public bathing beach maintained by the state, the federal government, or any local governmental entity.

Any person violating the provisions of this section shall incur a penalty in the amount of twenty-five dollars for each violation. Each day's continuance of a violation shall be a separate and distinct violation. The penalty shall be assessed as provided in RCW 90.48.144."

Renumber the remaining sections consecutively.

On page 12, section 19 of the printed bill beginning on line 20 of the printed bill, strike all of subsection (1) and insert the following:

"(1) Section 82.36.305, chapter 15, Laws of 1961, section 12, chapter 79, Laws of 1965 ex. sess. and RCW 82.36.305;

(2) Section 82.36.306, chapter 15, Laws of 1961, section 4, chapter 96, Laws of 1973 and RCW 82.36.306;"

Renumber the remaining subsections consecutively.

On page 13, line 2 after "through 11" insert "and 17"

On page 13 after line 8 of the printed bill, insert the following:

**"NEW SECTION.** Sec. 34. There is hereby appropriated to the Washington state marine council from the general fund the sum of seven hundred and ninety-nine thousand nine hundred and eighty-three dollars, or so much thereof as may be necessary to carry out its functions and duties pursuant to this act."

On line 1 of the title after "boating;" strike all of the title and insert the following: "amending section 1, chapter 5, Laws of 1965 and RCW 43.99.010; amending section 2, chapter 5, Laws of 1965 as amended by section 1, chapter 56, Laws of 1972 ex. sess. and RCW 43.99.020; amending section 7, chapter 5, Laws of 1965 and RCW 43.99.070; amending section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 156, Laws of 1971 ex. sess. and RCW 82.36.010; amending section 82.36.220, chapter 15, Laws of 1961 as last amended by section 20, chapter 22, Laws of 1963 ex. sess. and RCW 82.36.220; amending section 82.36.280, chapter 15, Laws of 1961 as last amended by section 1, chapter 138, Laws of 1972 ex. sess. and RCW 82.36.280; amending section 82.36.320, chapter 15, Laws of 1961 and RCW 82.36.320; amending section 82.36.330, chapter 15, Laws of 1961 as last amended by section 9, chapter 180, Laws of 1971 ex. sess. and RCW 82.36.330; amending section 82.36.340, chapter 15, Laws of 1961 and RCW 82.36.340; amending section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090; amending section 4, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.390; adding a new section to chapter 82.36 RCW; adding a new chapter to Title 88 RCW; adding a new section to chapter 90.48 RCW; repealing section 82.36.305, chapter 15, Laws of 1961, section 12, chapter 79, Laws of 1965 ex. sess. and RCW 82.36.305; repealing section 82.36.306, chapter 15, Laws of 1961, section 4, chapter 96, Laws of 1973 and RCW 82.36.306; repealing section 8, chapter 200, Laws of 1907 and RCW 88.04.090; repealing section 9, chapter 200, Laws of 1907 and RCW 88.04.100; repealing section 15, chapter 200, Laws of 1907 and RCW 88.04.180; repealing section 11, chapter 200, Laws of 1907 and RCW 88.04.190; repealing section 25, chapter 200, Laws of 1907 and RCW 88.04.280; repealing section 1, chapter 72, Laws of 1933 and RCW 88.12.010; repealing section 2, chapter 72, Laws of 1933 and RCW 88.12.020; repealing section 3, chapter 72, Laws of 1933 and RCW 88.12.030; repealing section 4, chapter 72, Laws of 1933 and RCW 88.12.040; repealing section 5, chapter 72, Laws of 1933 and RCW 88.12.050; repealing section 6, chapter 72, Laws of 1933 and RCW 88.12.060; prescribing penalties; making an appropriation; declaring an emergency; and providing effective dates."

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Hawkins, Hurley (George), Hurley (Margaret), Kilbury, Sommers, Williams.

**MINORITY recommendation:** Do not pass. Signed by Representatives Kuehnle, Nelson.

To Committee on Rules for second reading.

May 23, 1975

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2159, Original Prime Sponsor:** Senator Walgren, pertaining to motor vehicle fuel taxes. Reported by Committee on Transportation and Utilities.

**MAJORITY recommendation:** Do pass with the following amendments:

Beginning on page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 156, Laws of 1971 ex. sess. and RCW 82.36.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Motor vehicle' means every vehicle which is in itself a self-propelled unit, equipped with solid rubber, hollow-cushion rubber or pneumatic rubber tires and capable of being moved or operated upon a

public highway, except motor vehicles used as motive power for or in conjunction with farm implements and machines or implements of husbandry;

(2) 'Motor vehicle fuel' means gasoline or any other inflammable gas or liquid, by whatsoever name such gasoline, gas or liquid may be known or sold, the chief use of which is as fuel for the propulsion of motor vehicles, or motorboats;

(3) 'Distributor' means every person who refines, manufactures, produces, or compounds motor vehicle fuel and sells, distributes, or in any manner uses it in this state; also every person engaged in business as a bona fide wholesale merchant dealing in motor vehicle fuel who either acquires it within the state from any person refining it within or importing it into the state, on which the tax has not been paid, or imports it into this state and sells, distributes, or in any manner uses it in this state;

(4) 'Service station' means a place operated for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles;

(5) 'Department' means the department of motor vehicles;

(6) 'Director' means the director of motor vehicles;

(7) 'Dealer' means any person engaged in the retail sale of liquid motor vehicle fuels;

(8) 'Person' means every natural person, firm, partnership, association, or private or public corporation;

(9) 'Highway' means every way or place open to the use of the public, as a matter of right, for purposes of vehicular travel;

(10) 'Broker' means every person, other than a distributor, engaged in business as a broker, jobber, or wholesale merchant dealing in motor vehicle fuel or other petroleum products used or usable in propelling motor vehicles, or in other petroleum products which may be used in blending, compounding, or manufacturing of motor vehicle fuel;

(11) 'Producer' means every person, other than a distributor, engaged in the business of producing motor vehicle fuel or other petroleum products used in, or which may be used in, the blending, compounding, or manufacturing of motor vehicle fuel;

(12) 'Distribution' means all withdrawals of motor vehicle fuel for delivery to others, to retail service stations, or to unlicensed bulk storage plants;

(13) 'Bulk storage plant' means, pursuant to the licensing provisions of RCW 82.36.070, any plant, under the control of the distributor, used for the storage of motor vehicle fuel to which no retail outlets are directly connected by pipe lines;

(14) 'Marine fuel dealer' means any person engaged in the retail sale of liquid motor vehicle fuel whose place of business and or sale outlet is located upon a navigable waterway;

(15) 'Weighted average retail sales price of motor vehicle fuel' means the average retail sales price including any federal excise tax of the several grades of motor vehicle fuel (other than special fuels taxed pursuant to chapter 82.38 RCW) sold by service stations throughout the state (less any state excise taxes on the sale, distribution, or use thereof) weighted to reflect the quantities sold at each different price.

Sec. 2. Section 1, chapter 28, Laws of 1974 ex. sess. and RCW 82.36.020 are each amended to read as follows:

Every distributor shall pay, in addition to any other taxes provided by law, an excise tax to the director (~~(of nine cents)~~) at a rate computed in the manner provided in section 3 of this 1975 amendatory act for each gallon of motor vehicle fuel sold, distributed, or used by him in the state as well as on each gallon upon which he has assumed liability for payment of the tax under the provisions of RCW 82.36.100: PROVIDED, That under such regulations as the director may prescribe sales or distribution of motor vehicle fuel may be made by one licensed distributor to another licensed distributor free of the tax. In the computation of the tax, one-quarter of one percent of the net gallonage otherwise taxable shall be deducted by the distributor before computing the tax due, on account of the losses sustained through handling. A distributor shall collect the tax imposed herein (subject to the provisions of this chapter relating to exemptions and refunds) from each purchaser to whom he distributes or sells motor vehicle fuel and each purchaser shall in turn collect the tax from any subsequent purchaser to the end that the tax imposed herein is ultimately paid by the user of the motor vehicle fuel. The tax herein imposed shall be collected and paid to the state but once in respect to any motor vehicle fuel. An invoice shall be rendered by a distributor to a purchaser for each distribution of motor vehicle fuel.

The proceeds of the (~~nine cents~~) motor vehicle fuel excise tax collected on the net gallonage after the deduction provided for herein and after the deductions for refunds and costs of collection as provided in RCW 46.68.090 shall be distributed as (~~follows~~):

~~(1) Six and seven-eighths cents shall be distributed between the state, cities, counties, and Puget Sound ferry operations account in the motor vehicle fund under the provisions of RCW 46.68.090 and 46.68.100 as now or hereafter amended.~~

~~(2) Five-eighths of one cent shall be distributed to the state and expended pursuant to RCW 46.68.150.~~

~~(3) Five-eighths of one cent shall be paid into the motor vehicle fund and credited to the urban arterial trust account created by RCW 47.26.080.~~

~~(4) Three-eighths of one cent shall be paid into the motor vehicle fund and credited to the Puget Sound reserve account created by RCW 47.60.350.~~

~~(5) One-half cent shall be distributed to the cities and towns directly and allocated between them as provided by RCW 46.68.110, subject to the provisions of RCW 35.76.050. PROVIDED, That the funds allocated to a city or town which are attributable to such one-half cent of the additional tax imposed by~~

~~\*this 1961 amendatory act shall be used exclusively for the construction, improvement and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120, or for the payment of any municipal indebtedness which may be incurred after June 12, 1963 in the construction, improvement and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120. All such sums shall first be subject to proper deductions for refunds and costs of collection as provided in RCW 46.68.090) provided in RCW 46.68.100, as now or hereafter amended.~~

NEW SECTION, Sec. 3. There is added to chapter 82.36 RCW a new section to read as follows:

(1) During the second month of each fiscal quarter ending March 31, June 30, September 30 and December 31 of each year, the department of motor vehicles shall compute a motor vehicle fuel tax rate to the nearest one-half cent per gallon of motor vehicle fuel by multiplying twenty percent times a weighted average retail sales price of motor vehicle fuel, per gallon, sold within the state in the last month of the prior fiscal quarter. The department of motor vehicles shall determine the weighted average retail sales price of motor vehicle fuel by state-wide sampling and survey techniques designed to reflect such prices for the last month of the prior fiscal quarter. The department shall establish reasonable departmental guidelines for its sampling and survey methods.

(2) Subject to provisions of subsections (3) and (4) of this section the excise tax rate computed in the manner provided in subsection (1) of this section shall apply to the sale, distribution or use of motor vehicle fuel beginning the fiscal quarter following computation of the rate and shall remain in effect until a subsequent quarterly computation requires a change in the rate.

(3)(a) Notwithstanding the provisions of subsections (1) and (2) of this section, the excise tax rate for any quarter shall not exceed a rate as computed in this subsection.

(b) Each quarter at the time the department of motor vehicles computes the excise tax rate for the ensuing fiscal quarter of a biennium, the department shall estimate the total aggregate motor vehicle fuel tax revenues and the total of all other state revenues which will accrue to the motor vehicle fund during the full biennium. The estimated total aggregate motor vehicle fuel tax revenues for the biennium shall include those revenues which have accrued to the motor vehicle fund for the quarter or quarters of the biennium that have then elapsed plus revenues which the department determines will accrue during the remaining fiscal quarters of the biennium, assuming the sale, distribution, and use of motor vehicle fuel and special fuel within the state for the remaining fiscal quarters of the biennium shall be at the same volume as during the fiscal quarter last ended, adjusted however for the historic variations in sales, distribution and use according to quarterly period and for projected trends, and at the weighted average retail sales price of motor vehicle fuel as last determined by the department of motor vehicles. The estimated total of all other state revenues to accrue to the motor vehicle fund during the biennium shall include those revenues other than motor vehicle fuel tax revenues which have accrued to the motor vehicle fund for the quarter or quarters of the biennium that have then elapsed plus revenues which the office of program planning and fiscal management determines will accrue during the remaining fiscal quarters of the biennium, assuming that collections of such revenues for the remaining fiscal quarters of the biennium shall be at the same level as during the fiscal quarter just ended, adjusted however for historic variations in collections according to quarterly period and for projected trends.

(c) If the estimated biennial aggregate motor vehicle fuel tax revenues as computed in paragraph (b) of this subsection, exceed the total of all appropriations and transfers of state revenues from the motor vehicle fund for the biennium (less the estimated total of all state revenues other than motor vehicle fuel tax revenues which will accrue to the motor vehicle fund during the biennium as computed in paragraph (b) of this subsection) by more than two percent thereof, the rate of the motor vehicle fuel tax shall be reduced by one-half cent increments, commencing in the ensuing fiscal quarter, as necessary to reduce such estimated total revenues for the full biennium within the total of such appropriations plus two percent thereof.

(4)(a) Notwithstanding the provisions of subsections (1), (2) and (3) of this section the excise tax rate for any fiscal quarter shall not be less than nine cents a gallon nor less than the rate as computed in paragraphs (b) and (c) of this subsection.

(b) Each quarter at the time the department of motor vehicles computes the excise tax rate for the ensuing fiscal quarter of a fiscal year, the department shall estimate the total aggregate motor vehicle fuel tax revenues which will accrue to the motor vehicle fund during such fiscal year. The estimated total aggregate motor vehicle fuel tax revenues for such fiscal year shall include those revenues which have accrued to the motor vehicle fund for the quarter or quarters of the fiscal year that have then elapsed plus revenues which the department determines will accrue during the remaining fiscal quarters of such fiscal year, assuming the sale, distribution, and use of motor vehicle fuel and special fuel within the state for the remaining fiscal quarters of such fiscal year shall be at the same volumes as during the fiscal quarter last ended, adjusted however for the historic variations in sales, distribution and use according to quarterly period and for projected trends, and further assuming the same weighted average retail sales price of motor vehicle fuel as last determined by the department of motor vehicles.

(c) If the estimated aggregate motor vehicle fuel tax revenues for the fiscal year as computed in paragraph (b) of this subsection are less than an amount equal to the aggregate motor vehicle fuel tax revenues collected during the fiscal year ending June 30, 1973, increased by five percent per year compounded annually for each year which has elapsed from June 30, 1973, to June 30 of the fiscal year for which estimated aggregate motor vehicle fuel tax revenues were computed as provided in paragraph (b) of this subsection, then in such event, the department shall increase the rate of the excise tax by one-half cent increments commencing in the ensuing fiscal quarter as necessary to produce estimated aggregate motor vehicle fuel tax revenues for such fiscal year as great as such revenues collected during the 1973 fiscal year

increased by five percent per year compounded annually from June 30, 1973, to June 30 of the fiscal year for which such minimum quarterly tax rate is being computed.

(5) Notwithstanding the provisions of subsections (1) through (4) of this section, the department of motor vehicles in making the quarterly computations for the biennium ending June 30, 1977, shall increase or decrease the excise tax rate by one-half cent increments commencing in each ensuing fiscal quarter as necessary to produce total revenues computed in the manner provided in subsection (3)(b) of this section which most closely approximate, but do not exceed one hundred and two percent of, the total of all appropriations and transfers of state revenues from the motor vehicle fund for the biennium.

(6) Notwithstanding the provisions of subsections (1), (2), and (4) of this section, the excise tax rate for any fiscal quarter shall not be less than the excise tax rate for the preceding quarter, except as provided in subsection (3) of this section.

(7) As used in subsection (3) of this section the phrase 'total of all other state revenues which will accrue to the motor vehicle fund' shall include revenues in the motor vehicle fund balance as of the end of the prior biennium as certified by the state treasurer, less an appropriate minimum balance for the biennium as determined by the office of program planning and fiscal management and the proceeds of the sale of bonds but shall not include reimbursements to the motor vehicle fund for services performed by the department of highways for others.

(8) (a) Except as otherwise provided in subparagraph (b) of this subsection, if the department of highways receives notification that unanticipated federal funds of any category in excess of one million dollars will be received for expenditure during a biennium, the highway commission shall give notice of the amount of such unanticipated funds to the department of motor vehicles which shall include such amount in the computation of the estimated total of all other state revenues to accrue during the biennium under subparagraph (b) of subsection (3) of this section for purposes of computing the rate of motor vehicle fuel tax as provided in this section.

(b) Upon receipt by the department of highways of notification that unanticipated federal funds of any category in excess of one million dollars will be received for expenditure during a biennium, if the highway commission determines that such funds may not legally or operationally be substituted for purposes for which state motor vehicle fund moneys have been appropriated, or determines that substitution of such federal funds for state funds would delay the construction of needed highway improvements, the highway commission shall forthwith notify the governor and the standing committees on transportation and utilities of the house and senate of its determination. If both the governor and the standing committees concur in the commission's determination, the unanticipated federal funds shall not be considered by the department of motor vehicles in computing the estimated total of all other state revenues to accrue during the biennium under subparagraph (b) of subsection (3) of this section.

(9) As used in this section the phrase 'aggregate motor vehicle fuel tax revenues' shall mean the amount of excise taxes to be paid by distributors, retailers and users pursuant to chapters 82.36, 82.37 and 82.38 RCW, as now or hereafter amended, for any designated fiscal period, whether or not such amounts are actually received by the department of motor vehicles. The phrase does not include fines or penalties assessed for violations.

NEW SECTION. Sec. 4. There is added to chapter 82.36 RCW a new section to read as follows:

The variable motor fuel tax rates imposed by section 3 of this act, the revenues produced thereby, and their effect upon the motor vehicle fuel tax consumers of the state of Washington shall be reviewed by the transportation and utilities committees of the house of representatives and of the senate of the Washington state legislature during the interim between the adjournment of the 44th session and the ensuing 45th session of the legislature. The committees shall report their findings and recommendations for changes, if any, to the 45th session of the legislature.

Sec. 5. Section 46.68.090, chapter 12, Laws of 1961 as last amended by section 74, chapter 32, Laws of 1967 and RCW 46.68.090 are each amended to read as follows:

All moneys which have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax and ~~(use)~~ special fuel tax shall be first expended for the following purposes:

(1) For payment of refunds of motor vehicle fuel tax and ~~(use)~~ special fuel tax which has been paid and is refundable as provided by law;

(2) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor and the department of motor vehicles of the state of Washington in the administration of the motor vehicle fuel tax and the ~~(use)~~ special fuel tax, said sums to be distributed monthly.

(3) For payment of the state's share of amounts to be expended pursuant to specific project appropriations for the design, right of way, and construction of projects on the state highway system for the biennium ending June 30, 1977, and the state's share of any appropriations in subsequent bienniums to complete such projects.

The amount accruing to the motor vehicle fund by virtue of the motor vehicle fuel tax and the ~~(use)~~ special fuel tax and remaining after payments as provided in subsections (1) ~~(and)~~, (2) and (3) above shall, for the purposes of this chapter, be referred to as the 'net tax amount.'

Sec. 6. Section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 83, Laws of 1967 ex. sess. and RCW 82.36.100 are each amended to read as follows:

Every person other than a distributor who acquires any motor vehicle fuel within this state upon which payment of tax is required under the provisions of this chapter, or imports such motor vehicle fuel into this state and sells, distributes, or in any manner uses it in this state shall, if the tax has not been paid, apply for

a license to carry on such activities, file bond, make reports, comply with all regulations the director may prescribe in respect thereto, and pay ((a)) an excise tax ((of nine cents)) at the rate computed in the manner provided in section 3 of this 1975 amendatory act for each gallon thereof so sold, distributed, or used during the fiscal quarter for which such rate is applicable in the manner provided for distributors, and the director shall issue a license to such person in the manner provided for issuance of licenses to distributors. The proceeds of the tax imposed by this section shall be distributed in the manner provided for the distribution of the motor vehicle fuel excise tax in RCW 82.36.020. However, a distributor licensed under the provisions of this chapter may deliver motor vehicle fuel to an importer in individual quantities of five hundred gallons or less and assume the liability for payment of the tax to this state. Under such conditions, the importer shall be exempt from the requirements of this section. For failure to comply with the terms of this chapter such person shall be subject to the same penalties imposed upon distributors. The director shall pursue against such persons the same procedure and remedies for audits, adjustments, collection, and enforcement of this chapter as is provided with respect to distributors. Nothing herein shall be construed as classifying such persons as distributors.

Sec. 7. Section 3, chapter 22, Laws of 1963 ex. sess. as amended by section 4, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.030 are each amended to read as follows:

In consideration of the use of the public highways of this state, motor carriers who import motor vehicle fuel into the state of Washington in the fuel supply tank or tanks of commercial motor vehicles for use in propelling said vehicles on said highways shall be subject to a tax for such use of the highways as hereinafter provided. A tax at the rate ((of nine cents)) computed in the manner provided in section 3 of this 1975 amendatory act per gallon is hereby imposed upon every motor carrier measured and determined by the number of gallons of motor vehicle fuel so imported and actually used by such motor carrier in its operations within this state during the fiscal quarter for which such rate is applicable.

Sec. 8. Section 4, chapter 175, Laws of 1971 ex. sess. as last amended by section 1, chapter \_\_ (House Bill No. 170), Laws of 1975 1st ex. sess. and RCW 82.38.030 are each amended to read as follows:

(1) There is hereby levied and imposed upon special fuel users a tax ((of nine cents)) at the rate computed in the manner provided in section 3 of this 1975 amendatory act per gallon or each one hundred cubic feet of compressed natural gas measured at standard pressure and temperature on the use (within the meaning of the word use as defined herein) of special fuel in any motor vehicle during the fiscal quarter for which such rate is applicable: PROVIDED, That in order to encourage experimentation with nonpolluting fuels, no tax shall be imposed upon the use of natural gas as herein defined or on liquified petroleum gas, commonly called propane, which is used in any motor vehicle until July 1, 1977.

(2) Said tax shall be collected by the special fuel dealer and shall be paid over to the department as hereinafter provided: (a) With respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles or into storage facilities used for the fueling of motor vehicles at unbonded service stations in this state; or (b) in all other transactions where the purchaser indicates in writing to the special fuel dealer prior to or at the time of the delivery that the entire quantity of the special fuel covered by the delivery is for use by him for a taxable purpose as a fuel in a motor vehicle.

(3) Said tax shall be paid over to the department by the special fuel user as hereinafter provided: (a) With respect to special fuel upon which the tax has not previously been imposed which was acquired in any manner other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle in this state; or (b) in all transactions with a special fuel dealer in this state where a written statement has not been furnished to the special fuel dealer as set forth in subsection (2)(b) of this section.

It is expressly provided that delivery of special fuel may be made without collecting the tax otherwise imposed, when such deliveries are made by a bonded special fuel dealer to special fuel users who are authorized by the department as hereinafter provided, to purchase fuel without payment of tax to the bonded special fuel dealer.

Sec. 9. Section 46.68.100, chapter 12, Laws of 1961 as last amended by section 1, chapter 124, Laws of 1973 1st ex. sess. and RCW 46.68.100 are each amended to read as follows:

From the net tax amount in the motor vehicle fund there shall be paid ((sums as follows)) monthly as funds accrue the following sums:

(1) ((There shall be paid to the cities and towns of the state sums equal to ten and forty-four hundredths percent of the net tax amount to be paid monthly as the same accrues;

(2) To the counties of the state there shall be paid sums equal to thirty-two and sixty-one hundredths percent of the net tax amount to be paid monthly as the same accrues;

(3) To the state there shall be paid to be expended as provided by RCW 46.68.130, sums equal to fifty-five and five-tenths percent of the net tax amount to be paid monthly as the same accrues:

(4) There shall be paid to the Puget Sound ferry operations account sums equal to one and forty-five hundredths percent of the net tax amount to be paid monthly as the same accrues)) To the cities and towns, to be expended as provided by RCW 46.68.110, sums equal to six and eighty-seven hundredths percent of net tax amount;

(2) To the cities and towns, to be expended as provided by section 10 of this 1975 amendatory act, sums equal to four and fifty-eight hundredths percent of the net tax amount;

(3) To the counties, to be expended as provided by RCW 46.68.120, sums equal to twenty-two and sixty-four hundredths percent of the net tax amount;

(4) To the urban arterial trust account in the motor vehicle fund sums equal to seven and thirty-eight hundredths percent of the net tax amount;

(5) To the state, to be expended as provided by RCW 46.68.130, sums equal to forty-six and eighty-two hundredths percent of the net tax amount;

(6) To the state, to be expended as provided by RCW 46.68.150, sums equal to five and six-tenths percent of the net tax amount;

(7) To the Puget Sound reserve account in the motor vehicle fund sums equal to three and thirty-one hundredths percent of the net tax amount;

(8) To the Puget Sound ferry operations account in the motor vehicle fund sums equal to two and eight-tenths percent of the net tax amount.

Nothing in this section or in RCW 46.68.090 or 46.68.130 shall be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor vehicle fuels.

**NEW SECTION.** Sec. 10. There is added to chapter 46.68 RCW a new section to read as follows:

The sums distributed to cities and towns as set forth in subsection (2) of RCW 46.68.100, as now or hereafter amended, shall be allocated between them as provided by RCW 46.68.110, subject to the provisions of RCW 35.76.050, to be used exclusively for the construction, improvement and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120, or for the payment of any municipal indebtedness which may be incurred after June 12, 1963 in the construction, improvement and repair of arterial highways and city streets.

Sec. 11. Section 9, chapter 83, Laws of 1967 ex. sess. and RCW 46.68.150 are each amended to read as follows:

The ((proceeds of five-eighths of one cent of motor vehicle fuel tax and use fuel tax)) sums, distributed to the state pursuant to RCW ((82.36.020-99(2); after proper deductions for refunds and costs of collection as provided in RCW 46.68.090)) 46.68.100(6), as now or hereafter amended, and the proceeds of bonds issued and sold pursuant to RCW 47.26.400 through 47.26.407 shall be expended by the state highway commission for construction and improvement of state highways in urban areas as provided for in RCW 47.26.040 through 47.26.070 or for payment of principal and interest on bonds issued pursuant to RCW 47.26.400 through 47.26.407.

Sec. 12. Section 41, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.405 are each amended to read as follows:

Any funds required to repay such bonds, or the interest thereon when due, subject to the proviso of this section, shall be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle fuels and which is distributed to the state under the provisions of RCW ((82.36.020(2))) 46.68.100(6) as now or hereafter amended for construction of state highways in urban areas, and shall never constitute a charge against any allocations of any other such funds to the state, counties, cities and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle fuels and available to the state for construction of state highways in urban areas proves insufficient to meet the requirements for bond retirement or interest on any such bonds.

Sec. 13. Section 45, chapter 83, Laws of 1967 ex. sess. as amended by section 4, chapter 169, Laws of 1973 1st ex. sess. and RCW 47.26.420 are each amended to read as follows:

In order to provide funds necessary to meet the urgent construction needs on county and city arterials within urban areas, there ((shall be issued and sold)) are hereby authorized for issuance general obligation bonds of the state of Washington, the first authorization of which shall be in the sum of two hundred million dollars ((or such amount thereof)) and the second authorization of which, to be known as series II bonds, shall be in the sum of forty-five million dollars which shall be issued and sold in such amounts and at such times as determined to be necessary by the state highway commission. The amount of such bonds issued and sold under the provisions of RCW 47.26.420 through 47.26.427 in any biennium shall not exceed the amount of a specific appropriation therefor, from the proceeds of such bonds, for the construction of county and city arterials in urban areas. The issuance, sale and retirement of said bonds shall be under the supervision and control of the state finance committee which, upon request being made by the state highway commission, shall provide for the issuance, sale and retirement of coupon or registered bonds to be dated, issued, and sold from time to time in such amounts as shall be requested by the state highway commission.

Sec. 14. Section 49, chapter 83, Laws of 1967 ex. sess. as amended by section 6, chapter 169, Laws of 1973 1st ex. sess. and RCW 47.26.424 are each amended to read as follows:

Bonds issued under the provisions of RCW 47.26.420 through 47.26.427 shall distinctly state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon and shall contain an unconditional promise to pay such principal and interest as the same shall become due. The principal and interest on such bonds shall be first payable in the manner provided in RCW 47.26.420 through 47.26.427 from the proceeds of state excise taxes on motor vehicle fuels imposed by chapter 82.36 RCW, chapter 82.37 RCW and chapter ((82.40)) 82.38 RCW. The proceeds of such excise taxes are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of RCW 47.26.420 through 47.26.427, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay, when due, the principal and interest on all bonds issued under the provisions of RCW 47.26.420 through 47.26.427.

Sec. 15. Section 50, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.425 are each amended to read as follows:

Any funds required to repay ((such)) the first authorization of two hundred million dollars of bonds authorized by RCW 47.26.420, as amended by this 1975 amendatory act, or the interest thereon when due, subject to the proviso of this section, shall be taken from that portion of the motor vehicle fund ((which results from the imposition of excise taxes on motor vehicle fuels)) derived from and equal to the proceeds of five and six-tenths percent of the net amount of the excise tax on motor vehicle fuels imposed by chapters 82.36, 82.37 and 82.38 RCW and which is distributed to the urban arterial trust account in the motor vehicle fund, and shall never constitute a charge against any allocations of any other such funds in the motor vehicle fund to the state, counties, cities and towns unless and until the amount of the motor vehicle fund arising from the proceeds of five and six-tenths percent of the net amount of excise tax on motor vehicle fuels and distributed to the urban arterial trust account proves insufficient to meet the requirements for bond retirement or interest on any such bonds.

**NEW SECTION.** Sec. 16. There is added to chapter 47.26 RCW a new section, to be codified as RCW 47.26.4251 and to become a part of the series of RCW sections 47.26.420 through 47.26.427, to read as follows:

Any funds required to repay the authorization of series II bonds authorized by RCW 47.26.420, as amended by this 1975 amendatory act, or the interest thereon when due, subject to the proviso of this section, shall be taken from that portion of the motor vehicle fund derived from and equal to the proceeds of one and seventy-eight hundredths percent of the net tax amount of the excise tax on motor vehicle fuels imposed by chapters 82.36, 82.37 and 82.38 RCW and which is distributed to the urban arterial trust account in the motor vehicle fund, and shall never constitute a charge against any allocations of any other such funds in the motor vehicle fund to the state, counties, cities and towns unless and until the amount of the motor vehicle fund arising from the proceeds of one and seventy-eight hundredths percent of the net tax amount of the excise tax on motor vehicle fuels and distributed to the urban arterial trust account proves insufficient to meet the requirements for bond retirement or interest on such bonds.

**NEW SECTION.** Sec. 17. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 18. This 1975 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 sections 1, 3, 4 and 17 shall take effect immediately, and sections 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 shall take effect July 1, 1975. Upon and from the effective date of sections 1, 3, 4 and 17 of this 1975 amendatory act through June 30, 1975, the rate of the motor vehicle fuel excise taxes and special fuel taxes imposed by chapters 82.36, 82.37 and 82.38 RCW shall be nine cents per gallon. Commencing with the first quarter of the biennium ending June 30, 1977, the rate of the motor vehicle fuel excise taxes imposed by chapters 82.36, 82.37 and 82.38 RCW shall be at the rate computed in the manner provided in section 3 of this 1975 amendatory act: PROVIDED HOWEVER, That notwithstanding the provisions of section 3 of this 1975 amendatory act said excise tax rate shall not exceed twelve cents a gallon."

In line 11 of the title, after "chapter" and before "1st" strike "156, Laws of 1973" and insert " (House Bill No. 170), Laws of 1975"

In line 16 of the title, after "47.26.405;" insert "amending section 45, chapter 83, Laws of 1967 ex. sess. as amended by section 4, chapter 169, Laws of 1973 1st ex. sess. and RCW 47.26.420; amending section 49, chapter 83, Laws of 1967 ex. sess. as amended by section 6, chapter 169, Laws of 1973 1st ex. sess. and RCW 47.26.424; amending section 50, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.425; amending section 46.68.090, chapter 12, Laws of 1961 as last amended by section 74, chapter 32, Laws of 1967 and RCW 46.68.090; adding a new section to chapter 47.26 RCW;"

Signed by Representatives Perry, Chairman; Berentson, Ceccarelli, Charnley, Clemente, Conner, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Kalich, Laughlin, Martinis, Patterson, Seeberger, Sherman, Wilson.

**MINORITY recommendation:** Do not pass. Signed by Representatives Barnes, Bender, Chandler, Douthwaite, Leckenby, Lee, Lysen, Schumaker.

To Committee on Rules for second reading.

May 23, 1975

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2280, Original Prime Sponsor:** Senator Walgren, pertaining to financing municipal transportation systems. Reported by Committee on Transportation and Utilities.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, beginning on line 23, strike the remainder of the bill and insert the following:

"Section 1. Section 7, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.272 are each amended to read as follows:

'Municipality' as used in RCW 35.58.272 through 35.58.279, as now or hereafter amended, and in sections 5 and 7 through 26 of this 1975 amendatory act, means any metropolitan municipal corporation which shall have been authorized to perform the function of metropolitan public transportation; any county performing the public transportation function as authorized by sections 9 and 10 of this amendatory act or which has established a county transportation authority pursuant to chapter 36.57 RCW; any



public transportation benefit area established pursuant to sections 11 through 26 of this amendatory act; and any city, which is not located within the boundaries of ((such)) a metropolitan municipal corporation, county transportation authority, or public transportation benefit area, and which owns, operates or contracts for the services of a publicly owned or operated system of transportation: PROVIDED, That the term 'municipality' shall mean in respect to any county performing the public transportation function pursuant to sections 9 and 10 of this amendatory act only that portion of the unincorporated area lying wholly within such unincorporated transportation benefit area.

'Motor vehicle' as used in RCW 35.58.272 through 35.58.279, as now or hereafter amended, shall have the same meaning as in RCW 82.44.010.

'County auditor' shall mean the county auditor of any county or any person designated to perform the duties of a county auditor pursuant to RCW 82.44.140.

'Person' shall mean any individual, corporation, firm, association or other form of business association.

Sec. 2. Section 13, chapter 255, Laws of 1969 ex. sess. as amended by section 1, chapter 54, Laws of 1974 ex. sess. and RCW 35.58.278 are each amended to read as follows:

Distribution of the special excise taxes paid into the general fund on behalf of any municipality shall be made to such municipality as provided in RCW 82.44.150, as now or hereafter amended.

~~((This section shall expire on June 30, 1981.))~~

Sec. 3. Section 2, chapter 111, Laws of 1965 ex. sess. as last amended by section 2, chapter 255, Laws of 1969 ex. sess. and RCW 35.95.020 are each amended to read as follows:

The following terms however used or referred to in this chapter, shall have the following meanings, unless a different meaning is required by the context:

(1) 'Corporate authority' shall mean the council or other legislative body of a municipality.

(2) 'Municipality' shall mean any incorporated city ~~((of the first, second or third class in the state)),~~ town, county pursuant to sections 9 and 10 of this amendatory act, any county transportation authority created pursuant to chapter 36.57 RCW, any public transportation benefit area created pursuant to sections 11 through 26 of this amendatory act, or any metropolitan municipal corporation created pursuant to RCW 35.58.010, et seq: PROVIDED, That the term 'municipality' shall mean in respect to any county performing the public transportation function pursuant to sections 9 and 10 of this amendatory act only that portion of the unincorporated area lying wholly within such unincorporated transportation benefit area.

(3) 'Person' shall mean any individual, firm, partnership, corporation, company, association, joint stock association, school district or political subdivision of the state, fraternal, benevolent, religious or charitable society, club or organization, and shall include any trustee, receiver, assignee, or other person acting in a similar representative capacity. The term 'person' shall not be construed to include the United States nor the state of Washington.

Sec. 4. Section 4, chapter 111, Laws of 1965 ex. sess. and RCW 35.95.040 are each amended to read as follows:

The corporate authorities of a municipality are authorized to adopt ordinances for the levy and collection of excise taxes and/or for the imposition of an additional tax for the act or privilege of engaging in business activities. Such business and occupation tax shall be imposed in such amounts as fixed and determined by the corporate authorities of the municipality and shall be measured by the application of rates against value of products, gross proceeds of sales, or gross income of the business, as the case may be. The terms 'business', 'engaging in business', 'gross proceeds of sales', and 'gross income of the business' shall for the purpose of this chapter have the same meanings as defined and set forth in chapter 82.04 RCW or as said chapter may hereafter be amended.

The excise taxes other than the business and occupation tax above provided for shall be levied and collected from all persons within the municipality ~~((who are served and billed for any one or more public utility services owned and operated by such municipality))~~ in such amounts as shall be fixed and determined by the corporate authorities of the municipality: PROVIDED, That such excise tax shall not exceed one dollar per month for each housing unit. For the purposes of this section, the term 'housing unit' shall mean a building or portion thereof designed for or used as the residence or living quarters of one or more persons living together, or of one family.

All taxes herein authorized shall be taxes other than a retail sales tax defined in chapter 82.08 RCW and a use tax defined in chapter 82.12 RCW, and the municipality shall appropriate and use the proceeds derived from all taxes authorized herein only for the operation, maintenance and capital needs of its municipally owned or leased and municipally operated public transportation system.

Before any county transportation authority established pursuant to chapter 36.57 RCW or any public transportation benefit area authority established pursuant to sections 11 through 26 of this amendatory act may impose any of the excise taxes authorized pursuant to this section, the authorization for imposition of such taxes shall be approved by the voters residing within such respective area.

The county on behalf of an unincorporated transportation benefit area established pursuant to sections 9 and 10 of this amendatory act may impose any of the excise taxes authorized pursuant to this section only within the boundaries of such unincorporated transportation benefit area.

Sec. 5. Section 8, chapter 167, Laws of 1974 ex. sess. and RCW 36.57.080 are each amended to read as follows:

On the effective date of the proposition approved by the voters in accord with RCW ~~((82.14.047))~~ 35.95.040 or 82.14.045, as now or hereafter amended, the authority shall have and exercise all rights with

respect to the construction, acquisition, maintenance, operation, extension, alteration, repair, control and management of passenger transportation which the county or any city located within such county shall have been previously empowered to exercise and such powers shall not thereafter be exercised by the county or such cities without the consent of the authority. The county and all cities within such county upon demand of the authority shall transfer to the authority all unexpended funds earmarked or budgeted from any source for public transportation, including funds receivable. The county in which an authority is located shall have the power to contract indebtedness and issue bonds pursuant to chapter 36.67 RCW to enable the authority to carry out the purposes of this chapter and (~~RCW 82.14.047~~) 35.95.040 or 82.14.045, as now or hereafter amended, and the purposes of this chapter and (~~RCW 82.14.047~~) 35.95.040 or 82.14.045, as now or hereafter amended, shall constitute a 'county purpose' as that term is used in chapter 36.67 RCW.

Sec. 6. Section 2, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.045 are each amended to read as follows:

(1) ~~The (governing body upon written request by the mayor or other executive officer of any city within a class AA county, a class AA county or any metropolitan municipal corporation within a class AA county) legislative body of any city pursuant to RCW 35.92.060, of any county which has created an unincorporated transportation benefit area pursuant to sections 9 and 10 of this amendatory act, of any public transportation benefit area pursuant to sections 18 and 19 of this amendatory act, of any county transportation authority established pursuant to chapter 36.57 RCW, and of any metropolitan municipal corporation within a class AA county pursuant to chapter 35.58 RCW, ((while not required by legislative mandate to do so,)) may, by resolution or ordinance for the sole purpose of providing funds for the operation, maintenance or capital needs of public transportation systems and in lieu of the excise taxes authorized by RCW 35.95.040, as now or hereafter amended, submit an authorizing proposition to the voters or include such authorization in a proposition to perform the function of ((metropolitan) public transportation ((pursuant to chapter 35.58 RCW)) and if approved by a majority of persons voting thereon, fix and impose a sales and use tax in accordance with the terms of this chapter ((to be effective on or after July 1, 1972: PROVIDED, That during the fiscal year ending June 30, 1973, no more than three million dollars of the sales and use tax levied and collected pursuant to this 1971 amendatory act may be used as qualifying matching funds to authorize a levy of motor vehicle excise taxes during such fiscal year pursuant to chapter 255, ex. sess., Laws of 1969)): PROVIDED, That no such legislative body shall impose such a sales and use tax without submitting such an authorizing proposition to the voters and obtaining the approval of a majority of persons voting thereon: PROVIDED FURTHER, That where such a proposition is submitted by a county on behalf of an unincorporated transportation benefit area, it shall be voted upon by the voters residing within the boundaries of such unincorporated transportation benefit area and, if approved, the sales and use tax shall be imposed only within such area. Notwithstanding any provisions of this section to the contrary, any county in which a county public transportation plan has been adopted pursuant to RCW 36.57.070 and the voters of such county have authorized the imposition of a sales and use tax pursuant to the provisions of RCW 82.14.047, section 10, chapter 167, Laws of 1974 ex. sess., prior to the effective date of this 1975 amendatory act, shall be authorized to fix and impose a sales and use tax as provided in this section at not to exceed the rate so authorized without additional approval of the voters of such county as otherwise required by this section.~~

~~((Such)) The tax authorized pursuant to this section shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within such city, public transportation benefit area, county, or metropolitan municipal corporation as the case may be. The rate of such tax ((imposed by such city, county or metropolitan municipal corporation)) shall be one-tenth, two-tenths, or three-tenths of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax) and shall not exceed the rate authorized in the proposition approved by the voters unless such increase shall be similarly approved(~~(- PROVIDED, HOWEVER, That)~~).~~

~~(2)(a) In the event a metropolitan municipal corporation shall impose a sales and use tax pursuant to this chapter no city, county which has created an unincorporated transportation benefit area, public transportation benefit area authority, or county transportation authority wholly ((or partly)) within such metropolitan municipal corporation shall ((impose a sales and use tax pursuant to this chapter)) be empowered to levy and/or collect taxes pursuant to RCW 35.58.273, 35.95.040 and/or 82.14.045, as now or hereafter amended, but nothing herein shall prevent such city or county from imposing sales and use taxes pursuant to any other authorization(~~(- PROVIDED FURTHER, That in the event a metropolitan municipal corporation or county shall impose a sales and use tax pursuant to this 1971 amendatory act, no city within such county or wholly or partly within such metropolitan municipal corporation shall impose an excise tax pursuant to RCW 35.95.040)~~).~~

~~(b) In the event a county transportation authority shall impose a sales and use tax pursuant to this section, no city, county which has created an unincorporated transportation benefit area, public transportation benefit area, or metropolitan municipal corporation, located within the territory of the authority, shall be empowered to levy or collect taxes pursuant to RCW 35.58.273, 35.95.040, or 82.14.045, as now or hereafter amended.~~

~~(c) In the event a public transportation benefit area shall impose a sales and use tax pursuant to this section, no city, county which has created an unincorporated transportation benefit area, or metropolitan municipal corporation, located wholly or partly within the territory of the public transportation benefit~~

area, shall be empowered to levy or collect taxes pursuant to RCW 35.58.273, 35.95.040 or 82.14.045, as now or hereafter amended.

(3) Any local sales and use tax revenue collected pursuant to this section by any city or by any county for transportation purposes pursuant to sections 9 and 10 of this amendatory act shall not be counted as locally generated tax revenues for the purposes of apportionment and distribution, in the manner prescribed by chapter 82.44 RCW, as now or hereafter amended, of the proceeds of the motor vehicle excise tax authorized pursuant to RCW 35.58.273, as now or hereafter amended.

**NEW SECTION.** Sec. 7. There is added to chapter 35.58 RCW a new section to read as follows:

In addition to any other authority now provided by law, and subject only to constitutional limitations, the governing body of any municipality shall be authorized to acquire, construct, operate, and maintain a public transportation system and additions and betterments thereto, and to issue general obligation bonds for public mass transportation capital purposes including but not limited to replacement of equipment: PROVIDED, That the general indebtedness incurred under this section when considered together with all the other outstanding general indebtedness of the municipality shall not exceed the amounts of indebtedness authorized by chapter 39.36 RCW and chapter 35.58 RCW, as now or hereafter amended, to be incurred without and with the assent of the voters.

Upon the effective date of this 1975 amendatory act any such municipality is authorized to pledge that the taxes authorized, levied and collected to pay or secure the payment of any bonds issued after such effective date for authorized public transportation purposes shall continue to be levied, collected and applied until such bonds shall have been paid or sufficient funds for such payment shall have been duly provided and irrevocably set aside by the issuer for such payment. If any of the revenue from any tax or surcharge authorized by this or any other chapter shall have been pledged to secure the payment of any bonds as herein authorized, then as long as that pledge shall be in effect the legislature shall not withdraw the authority to levy and collect the tax. Any municipality is authorized to pledge for the payment or security of the principal of and interest on any bonds issued for authorized public transportation purposes all or any portion of any taxes authorized to be levied by the issuer, including, but not limited to, the local sales and use tax authorized pursuant to RCW 82.14.045 and section 6 of this 1975 amendatory act, as now or hereafter amended, and not more than ten percent of the motor vehicle excise taxes levied and collected pursuant to RCW 35.58.273: PROVIDED, That such ten percent limitation shall not apply to any bonds outstanding on the effective date of this 1975 amendatory act.

**NEW SECTION.** Sec. 8. There is added to chapter 35.58 RCW a new section to read as follows:

Any city, county, public transportation benefit area authority, county transportation authority, or metropolitan municipal corporation operating a public transportation system shall be authorized to conduct, contract for, participate in and support research, demonstration, testing and development of public transportation systems, equipment and use incentives and shall have all powers necessary to comply with any criteria, standards, and regulations which may be adopted under the urban mass transportation act (78 Stat. 302 et seq., 49 U.S.C. 1601 et seq.) and to take all actions necessary to meet the requirements of that act. Any county in which a county transportation authority or public transportation benefit area shall have been established and any metropolitan municipal corporation which shall have been authorized to perform the function of metropolitan public transportation shall have, in addition to such powers, the authority to prepare, adopt and carry out a comprehensive transit plan and to make such other plans and studies and to perform such programs as the governing body of the county authority public transportation benefit area authority or metropolitan municipal corporation shall deem necessary to implement and comply with said federal act.

**NEW SECTION.** Sec. 9. There is added to chapter 36.57 RCW a new section to read as follows:

Every county, except a county in which a metropolitan municipal corporation is performing the public transportation function as of the effective date of this 1975 amendatory act, is authorized to perform such function in such portions of the unincorporated areas of the county, except within the boundaries of a public transportation benefit area established pursuant to sections 11 through 26 of this amendatory act, as the county legislative body shall determine and the county shall have those powers as are specified in RCW 36.57.040 with respect to the provision of public transportation as is authorized pursuant to RCW 36.57.040.

**NEW SECTION.** Sec. 10. There is added to chapter 36.57 RCW a new section to read as follows:

The legislative body of any county is hereby authorized to create and define the boundaries of unincorporated transportation benefit areas within the unincorporated areas of the county, following school district or election precinct lines, as far as practicable. Such areas shall include only those portions of the unincorporated area of the county which could reasonably assume to benefit from the provision of public transportation services.

**NEW SECTION.** Sec. 11. For the purposes of this chapter the following definitions shall apply:

(1) 'Public transportation benefit area' means a municipal corporation of the state of Washington created pursuant to this chapter.

(2) 'Public transportation benefit area authority' or 'authority' means the legislative body of a public transportation benefit area.

(3) 'City' means an incorporated city or town.

(4) 'Component city' means an incorporated city or town within a public transportation benefit area.

(5) 'City council' means the legislative body of any city or town.

(6) 'County legislative body' means the board of county commissioners or the county council.

(7) 'Population' means the number of residents as shown by the figures released for the most recent official state, federal, or county census, or population determination made by the office of program planning and fiscal management.

(8) 'Public transportation service' means the transportation of packages, passengers and their incidental baggage by means other than by chartered bus, sight-seeing bus, together with the necessary passenger terminals and parking facilities or other properties necessary for passenger and vehicular access to and from such people moving systems: PROVIDED, That nothing shall prohibit an authority from leasing its buses to private certified carriers or prohibit the authority from providing school bus service.

(9) 'Public transportation improvement conference' or 'conference' shall mean the body established pursuant to section 12 of this amendatory act which shall be authorized to establish, subject to the provisions of section 13 of this amendatory act, a public transportation benefit area pursuant to the provisions of this chapter.

**NEW SECTION. Sec. 12.** The county legislative authority of every county except any class AA county shall, within ninety days of the effective date of this 1975 amendatory act, and as often thereafter as it deems necessary, and upon thirty days prior written notice addressed to the legislative body of each city within the county and with thirty days public notice, convene a public transportation improvement conference to be attended by an elected representative selected by the legislative body of each city, within such county, and by the county commissioners. Such conference shall be for the purpose of evaluating the need for and the desirability of the creation of a public transportation benefit area within certain incorporated and unincorporated portions of the county to provide public transportation services within such area. In those counties where county officials believe the need for public transportation service extends across county boundaries so as to provide public transportation service in a metropolitan area, the county legislative bodies of two or more neighboring counties may elect to convene a multi-county conference. Further conferences may be convened by the county legislative authority, not to exceed one in any twelve month period, or by a resolution of the legislative bodies of two or more component cities, not to exceed one in any twelve month period, or a petition signed by at least ten percent of the registered voters in the last general election of the city, county or city/county areas of the proposed benefit area. The chairman of the conference shall be elected from the members at large.

**NEW SECTION. Sec. 13.** Any conference which finds it desirable to establish a public transportation benefit area or change the boundaries of any existing public transportation benefit area shall fix a date for a public hearing thereon, or the legislative bodies of any two or more component cities or the county legislative body by resolution may require the public transportation improvement conference to fix a date for a public hearing thereon. Prior to the convening of the public hearing, the county governing body shall delineate the area of the county proposed to be included within the transportation benefit area, and shall furnish a copy of such delineation to each incorporated city within such area. Each city shall advise the county governing body, on a preliminary basis, of its desire to be included or excluded from the transportation benefit area. The county governing body shall cause the delineations to be revised to reflect the wishes of such incorporated cities. This delineation shall be considered by the conference at the public hearing for inclusion in the public transportation benefit area.

Notice of such hearing shall be published once a week for at least four consecutive weeks in one or more newspapers of general circulation within the area. The notice shall contain a description and map of the boundaries of the proposed public transportation benefit area and shall state the time and place of the hearing and the fact that any changes in the boundaries of the public transportation benefit area will be considered at such time and place. At such hearing or any continuation thereof, any interested person may appear and be heard on all matters relating to the effect of the formation of the proposed public transportation benefit area.

The conference may make such changes in the boundaries of the public transportation benefit area as they shall deem reasonable and proper, but may not delete any portion of the proposed area which will create an island of included or excluded lands, and may not delete a portion of any city. If the conference shall determine that any additional territory should be included in the public transportation benefit area, a second hearing shall be held and notice given in the same manner as for the original hearing. The conference may adjourn the hearing on the formation of a public transportation benefit area from time to time not exceeding thirty days in all.

At the next regular meeting following the conclusion of such hearing the conference shall adopt a resolution fixing the boundaries of the proposed public transportation benefit area, declaring that the formation of the proposed public transportation benefit area will be conducive to the welfare and benefit of the persons and property therein.

Within thirty days of the adoption of such conference resolution, the county legislative authority of each county wherein a conference has established proposed boundaries of a public transportation benefit area, may by resolution, upon making a legislative finding that the proposed benefit area includes portions of the county which could not be reasonably expected to benefit from such benefit area or excludes portions of the county which could be reasonably expected to benefit from its creation, disapprove and terminate the establishment of such public transportation benefit area within such county.

**NEW SECTION. Sec. 14.** At the time of its formation no public transportation benefit area shall include only a part of any city, and every city shall be either wholly included or wholly excluded from the boundaries of such area. If subsequent to the formation of a public transportation benefit area a part only of any city shall be included within the boundaries of a public transportation benefit area such part shall

be deemed to be 'unincorporated' for the purpose of selecting a member of the governing authority pursuant to section 16 of this amendatory act.

The boundaries of any public transportation benefit area shall follow school district lines or election precinct lines, as far as practicable. Only such areas shall be included which the conference determines could reasonably benefit from the provision of public transportation services. Only one public transportation benefit area may be created in any county.

**NEW SECTION. Sec. 15.** Within sixty days of the establishment of the boundaries of the public transportation benefit area the county commissioners and elected representatives of cities within the area shall provide for the selection of the governing body of such area, the public transportation benefit area authority, which shall consist of elected officials selected by and serving at the pleasure of the governing bodies of component cities within the area and the county commissioners of each county within the area.

Within such sixty day period, the legislative body of any city may by resolution of its legislative body withdraw from participation in the public transportation benefit area. The county legislative authority and each city remaining in the public transportation benefit area may disapprove and prevent the establishment of any governing body of a public transportation benefit area if the composition thereof does not meet its approval.

In no case shall the governing body of a single county public transportation benefit area be greater than nine members and in the case of a multi-county area, fifteen members. Those cities within the transportation benefit area and excluded from direct membership on the authority are hereby authorized to designate a member of the authority who shall be entitled to represent the interests of such city which is excluded from direct membership on the authority. The legislative body of such city shall notify the authority as to the determination of its authorized representative on the authority.

Any member of the authority who is an elected official and whose office is not a full time position shall receive forty dollars for each day attending official meetings of the authority.

**NEW SECTION. Sec. 16.** The public transportation benefit area authority authorized pursuant to section 15 of this amendatory act shall develop a comprehensive transit plan for the area. Such plan shall include, but not be limited to the following elements:

(1) The levels of transit service that can be reasonably provided for various portions of the benefit area.

(2) The funding requirements, including local tax sources, state and federal funds, necessary to provide various levels of service within the area.

(3) The impact of such a transportation program on other transit systems operating within that county or adjacent counties.

(4) The future enlargement of the benefit area or the consolidation of such benefit area with other transit systems.

**NEW SECTION. Sec. 17.** The comprehensive transit plan adopted by the authority shall be reviewed by the state transportation commission, and if such commission does not exist, by the planning and community affairs agency or its successor to determine:

(1) The completeness of service to be offered and the economic viability of the transit system proposed in such comprehensive transit plan;

(2) Whether such plan integrates the proposed transportation system with existing transportation modes and systems that serve the benefit area;

(3) Whether such plan coordinates that area's system and service with nearby public transportation systems;

(4) Whether such plan is eligible for matching state or federal funds;

After reviewing the comprehensive transit plan, the state transportation commission, and if such does not exist, the planning and community affairs agency or its successor shall have sixty days in which to approve such plan and to certify to the state treasurer that such public transportation benefit area shall be eligible to receive the motor vehicle excise tax proceeds authorized pursuant to RCW 35.58.273, as now or hereafter amended in the manner prescribed by chapter 82.44 RCW, as now or hereafter amended. To be approved a plan shall provide for coordinated transportation planning, the integration of such proposed transportation program with other transportation systems operating in areas adjacent to, or in the vicinity of the proposed public transportation benefit area, and be consistent with the public transportation coordination criteria adopted pursuant to the urban mass transportation act of 1964 as amended as of the effective date of this 1975 amendatory act. In the event such comprehensive plan is disapproved and ruled ineligible to receive motor vehicle tax proceeds, the state transportation commission, and if such does not exist, the planning and community affairs agency or its successor, shall provide written notice to the authority within thirty days as to the reasons for such plan's disapproval and such ineligibility. The authority may resubmit such plan upon reconsideration and correction of such deficiencies in the plan cited in such notice of disapproval.

**NEW SECTION. Sec. 18.** In addition to the powers specifically granted by this chapter a public transportation benefit area shall have all powers which are necessary to carry out the purposes of the public transportation benefit area. A public transportation benefit area may contract with the United States or any agency thereof, any state or agency thereof, any other public transportation benefit area, any county, city, metropolitan municipal corporation, special district, or governmental agency, within or without the state, and any private person, firm or corporation for the purpose of receiving gifts or grants or securing loans or advances for preliminary planning and feasibility studies, or for the design, construction or operation of transportation facilities. In addition a public transportation benefit area may contract with any

governmental agency or with any private person, firm or corporation for the use by either contracting party of all or any part of the facilities, structures, lands, interests in lands, air rights over lands and rights of way of all kinds which are owned, leased or held by the other party and for the purpose of planning, constructing or operating any facility or performing any service which the public transportation benefit area may be authorized to operate or perform, on such terms as may be agreed upon by the contracting parties. Before any contract for the lease or operation of any public transportation benefit area facilities shall be let to any private person, firm or corporation, a general schedule of rental rates for bus equipment with or without drivers shall be publicly posted applicable to all private certificated carriers, and for other facilities competitive bids shall first be called upon such notice, bidder qualifications and bid conditions as the public transportation benefit area authority shall determine.

A public transportation benefit area may sue and be sued in its corporate capacity in all courts and in all proceedings.

**NEW SECTION.** Sec. 19. A public transportation benefit area authority shall have the following powers in addition to the general powers granted by this chapter:

(1) To prepare, adopt and carry out a general comprehensive plan for public transportation service which will best serve the residents of the public transportation benefit area and to amend said plan from time to time to meet changed conditions and requirements.

(2) To acquire by purchase, condemnation, gift or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of transportation facilities and properties within or without the public transportation benefit area or the state, including systems of surface, underground or overhead railways, tramways, buses, or any other means of local transportation except taxis, and including escalators, moving sidewalks or other people-moving systems, passenger terminal and parking facilities and properties and such other facilities and properties as may be necessary for passenger and vehicular access to and from such people-moving systems, terminal and parking facilities and properties, together with all lands, rights of way, property, equipment and accessories necessary for such systems and facilities. Public transportation facilities and properties which are owned by any city may be acquired or used by the public transportation benefit area authority only with the consent of the city council of the city owning such facilities. Cities are hereby authorized to convey or lease such facilities to a public transportation benefit area authority or to contract for their joint use on such terms as may be fixed by agreement between the city council of such city and the public transportation benefit area authority, without submitting the matter to the voters of such city.

The facilities and properties of a public transportation benefit area system whose vehicles will operate primarily within the rights of way of public streets, roads or highways, may be acquired, developed and operated without the corridor and design hearings which are required by RCW 35.58.273, as now or hereafter amended, for mass transit facilities operating on a separate right of way.

(3) To fix rates, tolls, fares and charges for the use of such facilities and to establish various routes and classes of service.

In the event any public transportation benefit area shall extend its public transportation services to any area of service already offered by any company holding a certificate of public convenience and necessity from the Washington utilities and transportation commission, under RCW 81.68.040 it shall by purchase or condemnation acquire at the fair market value, from the person holding the existing certificate for providing the services, that portion of the operating authority and equipment representing the services within the area of public operation.

**NEW SECTION.** Sec. 20. Except in accordance with an agreement made as provided in this section, upon the effective date on which the public transportation benefit area commences to perform the public transportation service, no person or private corporation shall operate a local public passenger transportation service within the public transportation benefit area with the exception of taxis, buses owned or operated by a school district or private school, and buses owned or operated by any corporation or organization solely for the purposes of the corporation or organization and for the use of which no fee or fare is charged.

An agreement may be entered into between the public transportation benefit area authority and any person or corporation legally operating a local public passenger transportation service wholly within or partly within and partly without the public transportation benefit area and on said effective date under which such person or corporation may continue to operate such service or any part thereof for such time and upon such terms and conditions as provided in such agreement. Where any such local public passenger transportation service will be required to cease to operate within the public transportation benefit area, the public transportation benefit area authority may agree with the owner of such service to purchase the assets used in providing such service, or if no agreement can be reached, the public transportation benefit area authority shall condemn such assets in the manner and by the same procedure as is or may be provided by law for the condemnation of other properties for cities of the first class, except insofar as such laws may be inconsistent with the provisions of this chapter.

Whenever a privately owned public carrier operates wholly or partly within a public transportation benefit area, the Washington utilities and transportation commission shall continue to exercise jurisdiction over such operation as provided by law.

**NEW SECTION.** Sec. 21. The public transportation benefit area shall have and exercise all rights with respect to the construction, acquisition, maintenance, operation, extension, alteration, repair, control and management of passenger transportation which any component city shall have been previously empowered to exercise and such powers shall not thereafter be exercised by such component cities without the consent

of the public transportation benefit area: PROVIDED, That any city owning and operating a public transportation system on such effective date of this chapter may continue to operate such system within such city until such system shall have been acquired by the public transportation benefit area and a public transportation benefit area may not acquire such system without the consent of the city council of such city.

**NEW SECTION. Sec. 22.** If a public transportation benefit area shall acquire any existing transportation system, it shall assume and observe all existing labor contracts relating to such system and, to the extent necessary for operation of facilities, all of the employees of such acquired transportation system whose duties are necessary to operate efficiently the facilities acquired shall be appointed to comparable positions to those which they held at the time of such transfer, and no employee or retired or pensioned employee of such systems shall be placed in any worse position with respect to pension seniority, wages, sick leave, vacation or other benefits that he enjoyed as an employee of such system prior to such acquisition. The public transportation benefit area authority shall engage in collective bargaining with the duly appointed representatives of any employee labor organization having existing contracts with the acquired transportation system and may enter into labor contracts with such employee labor organization.

**NEW SECTION. Sec. 23.** Each public transportation benefit area authority shall establish a fund to be designated as the 'transportation fund', in which shall be placed all sums received by the authority from any source except the proceeds of bonds issued by the authority, and out of which shall be expended all sums disbursed by the authority unless otherwise provided in bond covenants. The county treasurer, or in the case of a multi-county public transportation benefit area, the county treasurer of the largest component county, shall be the custodian of the fund. The county auditor of such county shall keep the record of the receipts and disbursements, and shall draw and such county treasurer shall honor and pay all warrants, which shall be approved before issuance and payment as directed by the authority.

The county or counties and each city or town which is included in the authority shall contribute such sums towards the expense for maintaining and operating the public transportation system as shall be agreed upon between them.

**NEW SECTION. Sec. 24.** (1) An election to authorize the annexation of territory contiguous to a public transportation benefit area may be called within the area to be annexed pursuant to resolution or petition in the following manner:

(a) By resolution of a public transportation benefit area authority when it shall determine that the best interests and general welfare of such public transportation benefit area would be served. Such authority shall consider the question of areas to be annexed to the public transportation benefit area at least once every two years.

(b) By petition calling for such an election signed by at least four percent of the qualified voters residing within the area to be annexed and filed with the auditor of the county wherein the largest portion of the public transportation benefit area is located, and notice thereof shall be given to such authority. Upon receipt of such a petition, the auditor shall examine the same and certify to the sufficiency of the signatures thereon.

(c) By resolution of a public transportation benefit area authority upon request of any city for annexation thereto.

(2) The resolution or petition shall describe the boundaries of the area to be annexed. It shall require that there also be submitted to the electorate of the territory sought to be annexed a proposition authorizing the inclusion of such area within the public transportation benefit area and authorizing the imposition of such taxes authorized by law to be collected by the authority.

(3) Upon the annexation of additional area to a public transportation benefit area, the authority of the public transportation benefit area shall be reconstituted within sixty days in accordance with the provisions of section 15 of this amendatory act.

**NEW SECTION. Sec. 25.** Counties that have established a county transportation authority pursuant to chapter 36.57 RCW and public transportation benefit areas that have been established pursuant to this chapter are eligible to receive a one-time advanced financial support payment from the state to assist in the development of the initial comprehensive transit plan required by RCW 36.57.070 and section 16 of this amendatory act. The amount of this support payment is established at one dollar per person residing within each county or public transportation benefit area, as determined by the office of program planning and fiscal management, but no single payment shall exceed \$50,000. Repayment of an advanced financial support payment shall be made to the public transportation account in the general fund or, if such account does not exist, to the general fund by each agency within two years of the date such advanced payment was received. Such repayment shall be waived within two years of the date such advanced payment was received if the voters in the appropriate counties or public transportation benefit areas do not elect to levy and collect taxes enabled under authority of this 1975 amendatory act. The state department of transportation or, if such department does not exist, the planning and community affairs agency shall provide technical assistance in the preparation of local transit plans, and administer the advanced financial support payments authorized by this section.

**NEW SECTION. Sec. 26.** A public transportation benefit area established pursuant to this chapter may be dissolved and its affairs liquidated when so directed by a majority of persons in the benefit area voting on such question. An election placing such question before the voters may be called in the following manner:

(1) By resolution of the public transportation benefit area authority;

(2) By resolution of the county legislative body or bodies with the concurrence therein by resolution of the city council of a component city; or

(3) By petition calling for such election signed by at least ten percent of the qualified voters residing within the area filed with auditor of the county wherein the largest portion of the public transportation benefit area is located. The auditor shall examine the same and certify to the sufficiency of the signatures thereon: PROVIDED, That to be validated, signatures must have been collected within a ninety day period as designated by the petition sponsors.

With dissolution of the benefit area, any outstanding obligations and bonded indebtedness of the public transportation benefit area shall be satisfied or allocated by mutual agreement to the county or counties and component cities of the public transportation benefit area.

**NEW SECTION.** Sec. 27. There is hereby appropriated from the public transportation account in the general fund or, if such account does not exist, from the general fund to the transportation commission or, if such commission does not exist to the planning and community affairs agency for the biennium ending June 30, 1977 the sum of \$450,000, or so much thereof as may be necessary, to carry out the provisions of sections 16, 17, and 25 of this amendatory act.

**NEW SECTION.** Sec. 28. The following acts or parts of acts are each hereby repealed:

(1) Section 10, chapter 167, Laws of 1974 ex. sess. and RCW 82.14.047;

(2) Sections 1 through 9, chapter 136, Laws of 1973 1st ex. sess. and RCW 35.58.2731; and

(3) Section 6, chapter 54, Laws of 1974 ex. sess.

**NEW SECTION.** Sec. 29. Sections 11 through 26 shall constitute a new chapter in Title 36 RCW.

**NEW SECTION.** Sec. 30. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 31. This 1975 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 July 1, 1975."

On line 1 of the title after "transportation;" strike the remainder of the title and insert "amending section 7, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.272; amending section 13, chapter 255, Laws of 1969 ex. sess. as amended by section 1, chapter 54, Laws of 1974 ex. sess. and RCW 35.58.278; amending section 2, chapter 111, Laws of 1965 ex. sess. as last amended by section 2, chapter 255, Laws of 1969 ex. sess. and RCW 35.95.020; amending section 4, chapter 111, Laws of 1965 ex. sess. and RCW 35.95.040; amending section 8, chapter 167, Laws of 1974 ex. sess. and RCW 36.57.080; amending section 2, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.045; adding new sections to chapter 35.58 RCW; adding new sections to chapter 36.57 RCW; adding a new chapter to Title 36 RCW; repealing section 10, chapter 167, Laws of 1974 ex. sess. and RCW 82.14.047; repealing sections 1 through 9, chapter 136, Laws of 1973 1st ex. sess. and RCW 35.58.2731; repealing section 6, chapter 54, Laws of 1974 ex. sess.; making an appropriation; prescribing an effective date; and declaring an emergency."

Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Ceccarelli, Chandler, Charnley, Clemente, Conner, Douthwaite, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Hayner, Kalich, Laughlin, Leckenby, Lee, Lysen, Martinis, Patterson, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

May 22, 1975

**SENATE BILL NO. 2292,** Prime Sponsor: Senator Goltz, implementing the law relating to professional personnel in school districts, their certification and institutes or workshops. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 23 after "credit" strike "of the institute fund" and insert "~~((of the institute fund))~~"

On page 1, beginning on line 24, after "district" strike all material down to and including "board" on line 25 and insert "~~((institute fund which shall be created by the intermediate school district board))~~"

On page 1, beginning on line 30 after "district" strike all material down to and including "fund" on page 2, line 4 and insert "~~((institute fund))~~"

On page 2, beginning with "The professional" on line 5 strike all material down to and including "district" on line 6 and insert "Such fees"

On page 2, line 18 after "district and" insert "shall"

On page 2, beginning on line 24 after "district" strike all material down to and including "district" on line 25 and insert "~~((institute funds and/or the intermediate school district))~~"

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Ehlers, Eng, Fortson, Gaspard, Hendricks, Valle, Whiteside.

To Committee on Rules for second reading.



May 23, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2535, Original Prime Sponsor: Senator Walgren, relating to transportation. Reported by Committee on Transportation and Utilities.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION.** Section 1. There is added to Title 47 RCW a new section to read as follows:

The legislature hereby recognizes the following imperative needs within the state: To create a state-wide transportation development plan which identifies present status and sets goals for the future; to coordinate and centralize the regulation, licensing, and taxation of transportation modes; to promote and protect land use programs required in state and federal law; to coordinate transportation with the economic development of the state; to supply a broad framework in which regional, metropolitan, and local transportation needs can be related; to facilitate the supply of federal and state aid to those areas which will most benefit the state as a whole; to provide for more effective public involvement in the transportation planning and development process; to administer programs within the jurisdiction of this title relating to the safety of the state's transportation systems; and to coordinate and implement national transportation policy with the state transportation planning program.

The legislature finds and declares that placing all elements of transportation in a single department is fully consistent with and shall in no way impair the use of moneys in the motor vehicle fund exclusively for highway purposes.

Through this chapter, a unified department of transportation is created. To the jurisdiction of this department will be transferred the present powers, duties, and functions of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the department of motor vehicles, and the canal commission.

**NEW SECTION.** Sec. 2. There is added to Title 47 RCW a new section to read as follows:

As used in this title unless the context indicates otherwise:

- (1) "Department" means the department of transportation created in section 3 of this 1975 amendatory act;
- (2) "Commission" means the transportation commission created in section 5 of this 1975 amendatory act;
- (3) "Secretary" means the secretary of transportation as provided for in section 4 of this 1975 amendatory act.

**NEW SECTION.** Sec. 3. There is added to Title 47 RCW a new section to read as follows:

(1) There is created a department of state government to be known as the department of transportation.

(2) All powers, duties, and functions vested by law in the department of highways, the state highway commission, the director of highways, the Washington toll bridge authority, the aeronautics commission, the director of aeronautics, the canal commission, and the department of motor vehicles (except those powers, duties, and functions relating to gambling regulation and those now vested in the business and professional administration) are transferred to the jurisdiction of the department, except those powers, duties, and functions which are expressly directed elsewhere in this or in any other act of the 1975 legislature.

(3) The urban arterial board is transferred to the jurisdiction of the department for its administration.

**NEW SECTION.** Sec. 4. There is added to Title 47 RCW a new section to read as follows:

The executive head of the department of transportation shall be the secretary of transportation, who shall be appointed by the transportation commission, with the consent of the senate, from a list of three names submitted to the transportation commission by the governor, shall serve until removed by the governor, with the approval of a majority of the commission, and shall be paid a salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. If a vacancy occurs in the office of secretary while the senate is not in session, the commission shall make a temporary appointment, from a list of three names submitted by the governor, until the next meeting of the senate, when the commission shall present to that body its nomination for the office.

**NEW SECTION.** Sec. 5. There is added to chapter 13, Laws of 1961 and to chapter 47.01 RCW a new section to read as follows:

There is hereby created a transportation commission, which shall consist of seven members appointed by the governor, with the consent of the senate. Not more than four members shall reside on the same side of the Cascade mountains. The present five members of the highway commission shall serve as five initial members of the transportation commission until their terms of office as highway commission members would have expired. The additional two members provided herein for the transportation commission shall be appointed for initial terms to expire on June 30, 1976, and June 30, 1981, respectively. Thereafter all terms shall be for six years. No elective state official or state officer or state employee shall be a member of the commission. Not more than four members of the commission shall at the time of appointment or thereafter during their respective terms of office be members of the same major political party. No commissioner shall be removed from office by the governor before the expiration of his term unless for cause of incapacity, incompetence, neglect of duty, or malfeasance in office or for a disqualifying change of residence. No member shall be appointed for more than two consecutive terms.

**NEW SECTION.** Sec. 6. There is added to chapter 13, Laws of 1961 and to chapter 47.01 RCW a new section to read as follows:

The commission shall meet at such times as it deems advisable but at least once every thirty days. It may adopt its own rules and regulations and may establish its own procedure. It shall act collectively in harmony with recorded resolutions or motions adopted by majority vote of at least four members. The commission may appoint an administrative secretary, and shall elect one of its members chairman for a term of one year. The chairman shall be able to vote on all matters before the commission.

Each member of the commission shall receive compensation of sixty dollars per day for each day actually spent in the performance of his duties and his actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission, and his actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested of him by a majority vote of the commission or by the secretary of transportation, but in no event shall a commissioner be compensated in any year for more than one hundred twenty days, except the chairman of the commission who may be paid compensation for not more than one hundred fifty days.

**NEW SECTION.** Sec. 7. There is added to chapter 13, Laws of 1961 and to chapter 47.01 RCW a new section to read as follows:

The transportation commission shall have the following functions, powers, and duties:

(1) To propose policies to be adopted by the legislature for the use of integrated, intermodal transportation systems to implement the social, economic, and environmental policies, goals, and objectives of the people of the state, and especially to conserve nonrenewable natural resources including land and energy. To this end the commission shall:

(a) Develop transportation policies which are based on the policies, goals, and objectives expressed and inherent in existing state laws and as adopted by state agencies;

(b) Inventory the adopted policies, goals, and objectives of the local and area-wide governmental bodies of the state and define the role of the state, regional, and local governments in determining transportation policies, in planning, and in implementing the state transportation plan;

(c) Propose a transportation policy for the state, and after notice and public hearings, submit the proposal to the legislative transportation committee by January 1, 1976, for consideration in the next legislative session;

(d) Establish a procedure for review and revision of the state transportation policy, for submission of proposed changes to the legislature, and for the amendment of the state transportation policy by the legislature;

(2) To establish the policy of the department to be followed by the secretary on each of the following items:

(a) To provide for the effective coordination of state transportation planning with national transportation policy, state and local land use policies, and local and regional transportation plans and programs;

(b) To provide for effective public involvement in transportation designed to elicit accurately the public's views both with respect to adequate transportation services and appropriate means of minimizing adverse social, economic, environmental, and energy impact of transportation programs;

(c) To provide for the administration of grants in aid and other financial assistance to counties and municipal corporations for transportation purposes;

(d) To provide for the management, sale, and lease of property or property rights owned by the department which are not required for transportation purposes;

(3) To direct the secretary to prepare and submit to the commission a state transportation plan which shall be based on the adopted transportation policy and applicable state and federal laws. After public notice and hearings, the commission shall adopt the plan and submit it to the legislative transportation committee before January 1, 1978, for consideration in the next legislative session. The plan shall be reviewed and revised at the next regular session of the legislature and biennially thereafter;

(4) To approve and propose to the governor and to the legislature prior to the convening of each regular session a recommended budget for the operation of the department and for carrying out the program of the department for the ensuing biennium. The proposed budget shall separately state the appropriations to be made from the motor vehicle fund for highway purposes in accordance with constitutional limitations and appropriations and expenditures to be made from the general fund and other available sources for other operations and programs of the department: **PROVIDED**, That any act of the legislature relating to appropriations of general fund moneys to the department shall be submitted to the senate and house ways and means committees for their consideration and approval;

(5) To review and authorize all departmental requests for legislation;

(6) To approve the issuance and sale of all bonds authorized by the legislature for capital construction of state highways, toll facilities, Columbia Basin county roads (for which reimbursement to the motor vehicle fund has been provided), urban arterial projects, and aviation facilities;

(7) To adopt such rules, regulations, and policy directives as may be necessary to carry out reasonably and properly those functions expressly vested in the commission by statute;

(8) To delegate any of its powers to the secretary of transportation whenever it deems it desirable for the efficient administration of the department and consistent with the purposes of this title;

(9) To exercise such other specific powers and duties as may be vested in the transportation commission by this or any other act of the 1975 legislature.

**NEW SECTION.** Sec. 8. There is added to Title 47 RCW a new section to read as follows:

(1) The department shall be organized into divisions, including the division of highways, the division of public transportation, the division of aeronautics, the division of water transportation, the division of motor vehicles, and the division of transportation planning.

(2) The secretary may reorganize divisions in order to attain the maximum possible efficiency in the operation of the department. Each division shall be headed by an assistant secretary to be appointed by the secretary. The officers appointed under this section shall be exempt from the provisions of the state civil service law and shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the operation of the state civil service law.

**NEW SECTION.** Sec. 9. There is added to Title 47 RCW a new section to read as follows:

The secretary may appoint a deputy secretary as may be needed for the performance of the duties and functions vested in the department. The secretary may delegate to officers within the several divisions of the department authority to employ personnel necessary to discharge the responsibilities of the department.

**NEW SECTION.** Sec. 10. There is added to Title 47 RCW a new section to read as follows:

The secretary shall establish such advisory councils as are necessary to carry out the purposes of section 1 of this 1975 amendatory act, and to insure adequate public participation in the planning and development of transportation facilities. Members of such councils shall serve at the pleasure of the secretary and may receive per diem and necessary expenses, in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

**NEW SECTION.** Sec. 11. There is added to Title 47 RCW a new section to read as follows:

The secretary shall have the authority and it shall be his duty, subject to policy guidance from the commission:

- (1) To serve as chief executive officer of the department with full administrative authority to direct all its activities;
- (2) To organize the department as he may deem necessary to carry out the work and responsibilities of the department effectively;
- (3) To designate and establish such transportation district or branch offices as may be necessary or convenient, and to appoint assistants and delegate any of his powers, duties, and functions to them or any officer or employee of the department as he deems necessary to administer the department efficiently;
- (4) To direct and coordinate the programs of the various divisions of the department to assure that they achieve the greatest possible mutual benefit, produce a balanced overall effort, and eliminate unnecessary duplication of activity;
- (5) To adopt all department rules which are subject to the adoption procedures contained in the state administrative procedure act except rules subject to adoption by the commission pursuant to statute;
- (6) To maintain and safeguard the official records of the department, including the commission's recorded resolutions and orders;
- (7) To provide full staff support to the commission to assist it in carrying out its functions, powers, and duties and to execute the policy established by the commission pursuant to its legislative authority;

(8) To exercise all other powers and perform all other duties as are now or hereafter provided by law.

**NEW SECTION.** Sec. 12. There is added to Title 47 RCW a new section to read as follows:

(1) All employees and personnel of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the canal commission, and the department of motor vehicles (except personnel whose primary duties relate to gambling regulation or the business and professional administration), shall, on July 1, 1975, be transferred to the jurisdiction of the department of transportation. All employees classified under chapter 41.06 RCW, the state civil service law, shall be assigned to the department to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with bargaining agreements and the laws and rules governing the state merit system.

(2) Any officer or employee of any of the agencies mentioned hereinabove who holds an exempt position with his agency and who previously held permanent status in a classified position shall on or after July 1, 1975, have a right of reversion to the highest class of position previously held, and may continue his employment in the department of transportation at such class of position subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state merit system.

**NEW SECTION.** Sec. 13. The lawfully adopted rules and regulations of the Washington state highway commission, the Washington toll bridge authority, the aeronautics commission, the canal commission, and the director of motor vehicles (relating to functions and duties transferred to the department of transportation by section 3 of this 1975 amendatory act) in effect on June 30, 1975, shall continue to have full force and effect and be applicable until superseded by, or repealed by, rules and regulations lawfully adopted by the secretary of transportation or the transportation commission as provided in sections 6 and 11 of this 1975 amendatory act.

**NEW SECTION.** Sec. 14. There is added to chapter 1, Laws of 1961 and to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the department of transportation to the secretary, a deputy secretary, an administrative assistant to the secretary, if any, one assistant secretary for each division designated pursuant to section 8 of this 1975 amendatory act, and one confidential secretary for each of the above-named officers. The individuals appointed under this section shall be exempt from the provisions of the state civil service law, and shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for individuals exempt from the operation of the state civil service law.

**NEW SECTION.** Sec. 15. If on the effective date of this 1975 amendatory act, any exempt position designated hereinabove has not been filled by appointment, the person serving in the comparable exempt position, if any, in an agency whose functions are by section 3 of this 1975 amendatory act transferred to the department of transportation shall fill such exempt position until a permanent appointment thereto has been made.

**NEW SECTION.** Sec. 16. Nothing in this 1975 amendatory act shall be construed to affect any existing rights acquired under the sections amended or repealed herein except as to the governmental agencies referred to and their officials and employees, nor as affecting any actions, activities, or proceedings validated thereunder, nor as affecting any civil or criminal proceedings instituted thereunder, nor any rule, regulation, resolution, or order promulgated thereunder, nor any administrative action taken thereunder; and neither the abolition of any agency nor any transfer of powers, duties, and functions as provided herein, shall affect the validity of any act performed by such agency or any officer thereof prior to the effective date of this 1975 amendatory act.

**NEW SECTION.** Sec. 17. Nothing contained in this 1975 amendatory act shall be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until any such agreement has expired.

**NEW SECTION.** Sec. 18. All reports, documents, surveys, books, records, files, papers, or other writings in the possession of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the canal commission, and the department of motor vehicles (except those papers relating to gambling regulation and the business and professional administration) shall be delivered on the effective date of this 1975 amendatory act, to the custody of the department of transportation.

All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed in carrying out the powers, duties, and functions transferred to the department of transportation by section 3 of this 1975 amendatory act shall be made available on the effective date of this 1975 amendatory act, to the department. All funds, credits, or other assets held in connection with the functions so transferred shall by such time be assigned to the department of transportation.

Any appropriations heretofore made to the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the canal commission, and the department of motor vehicles for the purpose of carrying out the powers, duties, and functions transferred in section 3 this 1975 amendatory act, shall on the effective date of this 1975 amendatory act, be so transferred and credited to the department of transportation for the purpose of carrying out such transferred powers, duties, and functions.

Whenever any question arises as to the transfer of any funds including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred under section 3 of this 1975 amendatory act, the director of the office of program planning and fiscal management or his successor shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

**NEW SECTION.** Sec. 19. All state officials required to maintain contact with or provide services for any of the departments or agencies whose functions are transferred by section 3 of this 1975 amendatory act shall continue to perform such services for the department of transportation unless otherwise directed by this title.

**NEW SECTION.** Sec. 20. While any bonds, whether definitive, temporary, or interim, or warrants, certificates, or receipts of any denomination, with or without coupons attached heretofore issued by the state aeronautics commission, the toll bridge authority, the highway commission, or any of the other agencies whose functions are transferred to the department of transportation by section 3 of this 1975 amendatory act, remain outstanding, the powers and duties relating thereto of such agencies or of any official or employee thereof transferred by section 12 of this 1975 amendatory act to the department of transportation, or any powers and duties of any other state official or state agency with respect to such bonds, warrants, certificates, or receipts shall not be diminished or impaired in any manner that will adversely affect the interests and rights of the holders of such bonds, warrants, certificates, or receipts. The holder of any such bond, warrant, certificate, or receipt may by mandamus or other appropriate proceeding require the performance by the department of transportation, or other appropriate state official or agency, of any of the duties heretofore imposed upon any state department, official, or employee under the terms of any such prior bond, warrant, certificate, or receipt agreement or sale: PROVIDED, That the enumeration of such rights and remedies herein shall not be deemed to exclude the exercise or prosecution of any other rights or remedies by the holders of such bonds, warrants, certificates, or receipts.

Sec. 21. Section 1, chapter 11, Laws of 1971 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of social and health services, (2) the department of ecology, (3) the department of labor and industries, (4) the department of agriculture, (5) the department of fisheries, (6) the department of game, (7) the department of ((highways)) transportation, (8) ((the department of motor vehicles, (9))) the department of general administration, (((H))) (9) the department of commerce and economic development, and (((H))) (10) the department of revenue, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 22. Section 2, chapter 11, Laws of 1971 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The secretary of social and health services, (2) the director of ecology, (3) the director of labor and industries, (4) the director of

agriculture, (5) the director of fisheries, (6) the director of game, (7) the (~~(director of highways)~~ secretary of transportation, (8) (~~(the director of motor vehicles, (9))~~) the director of general administration, (~~((10))~~) (9) the director of commerce and economic development, and (~~((11))~~) (10) the director of revenue.

Such officers, except the (~~(director of highways)~~) secretary of transportation and the director of game, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he shall present to that body his nomination for the office. The (~~(director of highways)~~) secretary of transportation shall be appointed by the (~~(state highway)~~) transportation commission as prescribed in section 4 of this 1975 amendatory act, and the director of game shall be appointed by the game commission.

**NEW SECTION.** Sec. 23. There is added to chapter 14.04 RCW a new section to read as follows:

Unless the language specifically indicates otherwise, or unless the context plainly requires a different interpretation:

Wherever in any provision in the Revised Code of Washington the term "Washington state aeronautics commission", "the state aeronautics commission", "the aeronautics commission of the state", "the aeronautics commission", or "the commission" (when referring to the Washington state aeronautics commission) is used, it shall mean the department of transportation created in section 3 of this 1975 amendatory act.

Wherever in any provision in the Revised Code of Washington the term "state director of aeronautics", "director of aeronautics", or "director" (when referring to the state director of aeronautics) is used, it shall mean the secretary of transportation whose office is created in section 4 of this 1975 amendatory act.

**NEW SECTION.** Sec. 24. There is added to Title 46 RCW a new section to read as follows:

Unless the language specifically indicates otherwise, or unless the context plainly requires a different interpretation:

Wherever in Title 46 RCW or in any provision in the Revised Code of Washington the term "department of motor vehicles", "department of licenses", or "department" when referring to the department of motor vehicles or the department of licenses (except when referring to a function related to gambling regulation or the business and professional administration) is used, it shall mean the department of transportation created in section 3 of this 1975 amendatory act.

Wherever in Title 46 RCW or in any provision in the Revised Code of Washington the term "director of motor vehicles", "director of licenses", or "director" when referring to the director of motor vehicles or the director of licenses (except when referring to a function related to gambling regulation or the business and professional administration) is used, it shall mean the secretary of transportation, whose office is created in section 4 of this 1975 amendatory act.

**NEW SECTION.** Sec. 25. There is added to Title 47 RCW a new section to read as follows:

Unless the language specifically indicates otherwise, or unless the context plainly requires a different interpretation:

Wherever in Title 47 RCW or in any provision in the Revised Code of Washington the term "Washington state highway commission", "the state highway commission", "the highway commission", "the commission" (when referring to the Washington state highway commission), "the department of highways", "Washington toll bridge authority", or "the authority" (when referring to the Washington toll bridge authority) is used, it shall mean the department of transportation created in section 3 of this 1975 amendatory act.

Wherever in Title 47 RCW or in any provision in the Revised Code of Washington the term "director of highways" is used, it shall mean the secretary of transportation, whose office is created in section 4 of this 1975 amendatory act.

**NEW SECTION.** Sec. 26. There is added to chapter 1.08 RCW a new section to read as follows:

For purposes of harmonizing and clarifying the provisions of the statute sections published in the revised code of Washington, the code reviser may substitute words designating the department of transportation or the secretary of transportation, as appropriate, whenever necessary to effect the changes in meaning provided for in sections 23 through 25 of this 1975 amendatory act or any other act of the 1975 legislature.

**NEW SECTION.** Sec. 27. (1) The transportation commission through the secretary of transportation, and in conjunction with the legislative transportation committee and the house and senate transportation and utilities committees, shall immediately undertake a study of the proper funding of the department of transportation, the state transportation systems and the functions vested in the department. The study shall encompass alternative sources of funding of both highway and nonhighway functions of the department.

(2) The transportation commission through the secretary of transportation shall prepare a proposed budget for the operations of the department of transportation for the biennium ending June 30, 1977, and in connection therewith shall obtain such data relating to the needs of the state transportation systems and functions as may be necessary.

(3) The transportation commission through the secretary of transportation shall present to the legislative transportation committee, the house and senate ways and means committees, and the house and senate transportation and utilities committees for their review not later than November 1, 1975, a preliminary budget including proposed alternative sources of funding for the department of transportation for the remainder of the biennium ending June 30, 1977.

**NEW SECTION.** Sec. 28. The chief of the Washington state patrol is designated as an official consultant to the transportation commission so that the goals and activities of the state patrol relating to traffic

law enforcement and safety are fully coordinated with other related responsibilities of the department of transportation. In this capacity, the chief of the Washington state patrol shall consult with the transportation commission and the secretary of transportation on the traffic law enforcement and safety implications and impacts on the state patrol of any proposed comprehensive transportation plan, program, or policy.

In order to develop fully integrated, balanced, and coordinated transportation plans, programs, and budgets the chief of the Washington state patrol shall consult with the secretary of transportation on the matter of relative priorities during the development of the state patrol's plans, programs, and budgets as they pertain to transportation activities. The secretary of transportation shall provide written comments to the governor and the legislature on the extent to which the state patrol's final plans, programs, and budgets are compatible with the priorities established in the department of transportation's final plans, programs, and budgets.

Sec. 29. Section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070 are each amended to read as follows:

In all situations wherein the director of highways, the director of motor vehicles regarding the vehicle services division or the driver services division, the director of aeronautics or any one of their designees, or any member of the highway commission, the toll bridge authority, the aeronautics commission, or the canal commission or any one of their designees was on (~~July 1, 1954~~) the effective date of this 1975 amendatory act, designated or serving as a member of any board, commission, committee, or authority, the (~~state highway commission~~) secretary of transportation shall hereafter determine who shall serve as such member.

Sec. 30. Section 46.44.080, chapter 12, Laws of 1961 as amended by section 1, chapter 15, Laws of 1973 2nd ex. sess. and RCW 46.44.080 are each amended to read as follows:

Local authorities with respect to public highways under their jurisdiction may prohibit the operation thereon of motor trucks or other vehicles or may impose limits as to the weight thereof, or any other restrictions as may be deemed necessary, whenever any such public highway by reason of rain, snow, climatic or other conditions, will be seriously damaged or destroyed unless the operation of vehicles thereon be prohibited or restricted or the permissible weights thereof reduced: PROVIDED, That whenever a highway has been closed generally to vehicles or specified classes of vehicles, local authorities shall by general rule or by special permit authorize the operation thereon of school buses, emergency vehicles, and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under such weight and speed restrictions as the local authorities deem necessary to protect the highway from undue damage: PROVIDED FURTHER, That the governing authorities of incorporated cities and towns shall not prohibit the use of any city street designated by the (~~state highway~~) transportation commission as forming a part of the route of any primary state highway through any such incorporated city or town by vehicles or any class of vehicles or impose any restrictions or reductions in permissible weights unless such restriction, limitation, or prohibition, or reduction in permissible weights be first approved in writing by the (~~highway commission~~) department of transportation.

The local authorities imposing any such restrictions or limitations, or prohibiting any use or reducing the permissible weights shall do so by proper ordinance or resolution and shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution in each end of the portion of any public highway affected thereby, and no such ordinance or resolution shall be effective unless and until such signs are erected and maintained.

The (~~highway commission~~) department shall have the same authority as hereinabove granted to local authorities to prohibit or restrict the operation of vehicles upon state highways(~~which rules shall be administered by the department of highways~~). The department (~~of highways~~) shall give public notice of closure or restriction. The (~~highway commission~~) department may (~~further authorize the department of highways to~~) issue special permits for the operation of school buses and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under specified weight and speed restrictions as may be necessary to protect any state highway from undue damage.

Sec. 31. Section 46.44.090, chapter 12, Laws of 1961 and RCW 46.44.090 are each amended to read as follows:

The (~~state highway~~) department of transportation, pursuant to rules adopted by the transportation commission with respect to (~~primary and secondary~~) state highways and local authorities with respect to public highways under their jurisdiction may, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size, weight of vehicle or load exceeding the maximum specified in this chapter or otherwise not in conformity with the provisions of this chapter upon any public highway under the jurisdiction of the authority granting such permit and for the maintenance of which such authority is responsible.

No overweight permit shall be issued to any vehicle or combination of vehicles unless such vehicle or combination of vehicles is licensed for the maximum gross weight allowed by law.

Sec. 32. Section 46.44.091, chapter 12, Laws of 1961 as amended by section 30, chapter 281, Laws 1969 ex. sess. and RCW 46.44.091 are each amended to read as follows:

No special permit shall be issued for movement on any (~~primary or secondary~~) state highway or route of any state (~~primary or secondary~~) highway within the limits of any city or town where the gross weight, including load, exceeds twenty-two thousand pounds on a single axle or forty-three thousand pounds on any group of axles having a wheelbase between the first and last axle thereof less than ten feet:

PROVIDED, That the weight limitations pertaining to single axles may be exceeded to permit the movement of equipment operating upon single pneumatic tires having a rim width of twenty inches or more and a rim diameter of twenty-four inches or more or dual pneumatic tires having a rim width of sixteen inches or more and a rim diameter of twenty-four inches or more: PROVIDED FURTHER, That permits may be issued for weights in excess of the preceding limitations on highways or sections of highways which have been designed and constructed for weights in excess of such limitations; or these limitations may be rescinded when certification is made by military officials or by officials of public or private power facilities, when ~~((in the opinion of the highway commission))~~ the department of transportation, pursuant to general rules adopted by the transportation commission, determines that such movement or action is a necessary movement or action: PROVIDED FURTHER, That the structures and highway surfaces on the routes involved are determined to be capable of sustaining weights in excess of such limitations. Application shall be made in writing on special forms provided by the ~~((highway commission))~~ department of transportation and shall be submitted at least thirty-six hours in advance of the proposed movement.

Sec. 33. Section 46.44.092, chapter 12, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1970 ex. sess. and RCW 46.44.092 are each amended to read as follows:

No special permit shall be issued for movement on any two lane state highway outside the limits of any city or town where the overall width of load exceeds fourteen feet, or on any multiple lane state highway where the overall width of load exceeds thirty-two feet; except that on multiple lane state highways where a physical barrier serving as a median divider separates the oncoming and opposing traffic lanes, no special permit shall be issued for width in excess of twenty feet: PROVIDED, That (1) these width limitations may be exceeded on state highways where the latest available traffic figures show that the highway or section of highway carries less than one hundred vehicles per day: PROVIDED FURTHER, That in the case of buildings, the limitations referred to in this section for movement on any two lane state highway other than the national system of interstate and defense highways may be exceeded under the following conditions: (a) Uninterrupted vehicular traffic shall be maintained in one direction at all times; (b) maximum distance of movement shall not exceed five miles; additional contiguous permits shall not be issued to exceed the five-mile limit: PROVIDED, That when ~~((in the opinion of the highway commission))~~ the department of transportation, pursuant to general rules adopted by the transportation commission, determines a hardship would result, this limitation may be exceeded upon approval of the ~~((commission))~~ department of transportation; (c) prior to issuing a permit a qualified ~~((highway))~~ transportation department employee shall make a visual inspection of the building and route involved determining that the conditions listed herein shall be complied with and that structures or overhead obstructions may be cleared or moved in order to maintain a constant and uninterrupted movement; (d) special escort or other precautions may be imposed to assure movement is made under the safest possible conditions, and the Washington state patrol shall be advised when and where the movement is to be made; (2) permits may be issued for widths of vehicles in excess of the preceding limitations on highways or sections of highways which have been designed and constructed for width in excess of such limitations; (3) these limitations may be rescinded when certification is made by military officials or by officials of public or private power facilities, when in the opinion of the ~~((highway commission))~~ department of transportation, the movement or action is a necessary emergency movement or action: PROVIDED FURTHER, That the structures and highway surfaces on the routes involved are determined to be capable of sustaining widths in excess of such limitation; (4) these limitations shall not apply to farmers moving farm machinery between farms during daylight hours if the movement does not pass along and upon any ~~((primary or secondary))~~ state highway for a distance greater than one hundred miles, if properly patrolled and flagged; (5) these limitations shall not apply to movement during daylight hours on any two lane state highway where the gross weight, including load, does not exceed forty-five thousand pounds and the overall width of load does not exceed sixteen feet: PROVIDED, That the minimum and maximum speed of such movements, prescribed routes of such movements, the times of such movements, limitation upon frequency of trips (which limitation shall be not less than one per week), and conditions to assure safety of traffic may be prescribed by the ~~((highway commission))~~ department of transportation or local authority issuing such special permit.

The applicant for any special permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular state highways for which permit to operate is requested and whether such permit is requested for a single trip or for continuous operation.

Sec. 34. Section 46.44.095, chapter 12, Laws of 1961 as last amended by section 1, chapter 76, Laws of 1974 ex. sess. and RCW 46.44.095 are each amended to read as follows:

When fully licensed to the maximum gross weight permitted under RCW 46.44.040, a two-axle truck or a three-axle truck operated as a solo unit and not in combination shall be eligible to carry gross weight in excess of that permitted for such a vehicle in RCW 46.44.040 upon the payment to the ~~((state highway commission))~~ department of transportation of a fee of thirty dollars for each one thousand pounds of excess weight: PROVIDED, That the axle loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44.042 or the wheelbase requirements specified in RCW 46.44.044.

When fully licensed to a minimum gross weight of seventy-two thousand pounds a three or more axle truck tractor and a three or more axle dromedary truck tractor, and a three or more axle truck, when operating in combination with another vehicle or vehicles (the licensed gross weight of which, if any, shall be included when computing the minimum gross weights set forth above), shall be eligible under special permits to be issued by the ~~((state highway commission))~~ department of transportation to carry additional gross loads beyond the licensed capacity of the combination of vehicles upon the payment of a fee based

upon thirty dollars per year for each one thousand pounds of such additional gross weight but not to exceed one hundred and twenty dollars for the total additional weight: PROVIDED, That the axle loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44.042: AND PROVIDED FURTHER, That the gross weight of a three or more axle truck operated in combination with a two or three-axle trailer shall not exceed seventy-six thousand pounds, and the gross weight for a three or more axle truck tractor operated in combination with a semitrailer shall not exceed seventy-three thousand two hundred eighty pounds except where the semitrailer is eligible to carry a gross load of thirty-six thousand pounds pursuant to the provisions of RCW 46.44.040, in which event the maximum gross weight of the combination shall not exceed seventy-six thousand pounds. The minimum additional tonnage to be purchased pursuant to this paragraph for a three or more axle tractor to be operated in combination with a semitrailer shall be not less than one thousand two hundred and eighty pounds. The permits provided for in the two preceding paragraphs shall be known as class A additional tonnage permits.

In addition to the gross weight purchased pursuant to RCW 46.16.070, 46.16.115, 46.44.037, and the foregoing provisions of this section and where, in the case of combinations of vehicles, the maximum gross weight permitted by law, including the preceding provisions of this section, has been purchased, a special permit for additional gross weight may be issued by the ~~((state highway commission))~~ department of transportation upon the payment of thirty-seven dollars and fifty cents per year for each one thousand pounds of such additional gross weight: PROVIDED, The tire limits specified in RCW 46.44.042 shall apply, and the gross weight on any single axle shall not exceed twenty thousand pounds and the gross load on any group of axles shall not exceed the following table:

Dis- tance in feet between the ex- tremes of any group of 2 or more consecu- tive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles								
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	
4	34,000								
5	34,000								
6	34,000								
7	34,000								
8	34,000	42,000							
9	39,000	42,500							
10	40,000	43,500							
11		44,000							
12		45,000	50,000						
13		45,500	50,500						
14		46,500	51,500						
15		47,000	52,000						
16		48,000	52,500	58,000					
17		48,500	53,500	58,500					
18		49,500	54,000	59,000					
19		50,000	54,500	60,000					
20		51,000	55,500	60,500	66,000				
21		51,500	56,000	61,000	66,500				
22		52,500	56,500	61,500	67,000				
23		53,000	57,500	62,500	68,000				
24		54,000	58,000	63,000	68,500	74,000			
25		54,500	58,500	64,500	69,000	74,500			
26		55,500	59,500	65,000	69,500	75,000			
27		56,000	60,000	65,000	70,000	75,500			
28		57,000	60,500	65,500	71,000	76,500	82,000		
29		57,500	61,500	66,000	71,500	77,000	82,500		
30		58,500	62,000	66,500	72,000	77,500	83,000		
31		59,000	62,500	67,500	72,500	78,000	83,500		
32		60,000	63,500	68,000	73,000	78,500	84,500	90,000	
33			64,000	68,500	74,000	79,000	85,000	90,500	
34			64,500	69,000	74,500	80,000	85,500	91,000	
35			65,500	70,000	75,000	80,500	86,000	91,500	
36			66,000	70,500	75,500	81,000	86,500	92,000	



37	66,500	71,000	76,000	81,500	87,000	93,000
38	67,500	72,000	77,000	82,000	87,500	93,500
39	68,000	72,500	77,500	82,500	88,500	94,000
40	68,500	73,000	78,000	83,500	89,000	94,500
41	69,500	73,500	78,500	84,000	89,500	95,000
42	70,000	74,000	79,000	84,500	90,000	95,500
43	70,500	75,000	80,000	85,000	90,500	96,000
44	71,500	75,500	80,500	85,500	91,000	96,500
45	72,000	76,000	81,000	86,000	91,500	97,500
46	72,500	76,500	81,500	87,000	92,500	98,000
47	73,500	77,500	82,000	87,500	93,000	98,500
48	74,000	78,000	83,000	88,000	93,500	99,000
49	74,500	78,500	83,500	88,500	94,000	99,500
50	75,500	79,000	84,000	89,000	94,500	100,000
51	76,000	80,000	84,500	89,500	95,000	100,500
52	76,500	80,500	85,000	90,500	95,500	101,000
53	77,500	81,000	86,000	91,000	96,500	102,000
54	78,000	81,500	86,500	91,500	97,000	102,500
55	78,500	82,500	87,500	92,000	97,500	103,000
56	79,500	83,000	87,500	92,500	98,000	103,500
57	80,000	83,500	88,000	93,000	98,500	104,000
58		84,000	89,000	94,000	99,000	104,500
59		85,000	89,500	94,500	99,500	105,000
60		85,500	90,000	95,000	100,500	105,500

Permits issued pursuant to the foregoing paragraph shall be known as class B additional tonnage permits.

The special permits provided for in this section shall be issued (~~under such rules and regulations and~~) upon such terms and conditions as may be prescribed by the (~~state highway~~) department pursuant to general rules adopted by the transportation commission. Such special permits shall entitle the permittee to carry such additional load in such an amount and upon such highways or sections of highways as may be determined by the (~~state highway commission~~) department of transportation to be capable of withstanding such increased gross load without undue injury to the highway: PROVIDED, That the permits shall not be valid on any highway where the use of such permits would deprive this state of federal funds for highway purposes.

The annual additional tonnage permits provided for in this section shall commence on the first of January of each year. The permits may be purchased at any time, and if they are purchased for less than a full year, the fee shall be one-twelfth of the full fee multiplied by the number of months, including any fraction thereof, covered by the permit. When the department issues a duplicate permit to replace a lost or destroyed permit and where the department transfers a permit from one vehicle to another a fee of five dollars shall be charged for each such duplicate issued or each such transfer. The (~~state highway commission~~) department of transportation shall issue such special permits on a temporary basis for periods not less than ten days at a fee of one dollar per day in the case of class A permits and not less than five days at two dollars per day in the case of class B permits.

The fees levied in RCW 46.44.094 and this section shall not apply to any vehicles owned and operated by the state of Washington, any county within the state or any city or town or metropolitan municipal corporation within the state, or by the federal government.

In the case of fleets prorating license fees under the provisions of chapter 46.85 RCW the fees provided for in RCW 46.44.037 and 46.44.095 shall be computed by the (~~state highway commission~~) department of transportation by applying the proportion of the Washington mileage of the fleet in question to the total mileage of the fleet as reported pursuant to chapter 46.85 RCW to the fees that would be required to purchase the additional weight allowance for all eligible vehicles or combinations of vehicles for which the extra weight allowance is requested.

The (~~state highway commission~~) department of transportation shall prorate the fees provided in RCW 46.44.037 and 46.44.095 only if the name of the operator or owner is submitted on official listings of authorized fleet operators furnished by the department of motor vehicles. Listings furnished shall also include the percentage of mileage operated in Washington, which shall be the same percentage as determined by the department of motor vehicles, for purposes of prorating license fees.

Sec. 35. Section 2, chapter 16, Laws of 1963 as last amended by section 1, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.405 are each amended to read as follows:

Whenever the (~~state highway commission~~) secretary of transportation shall determine upon the basis of an engineering and traffic investigation that any maximum speed hereinbefore set forth is greater than is reasonable or safe with respect to a state highway under the conditions found to exist at any intersection or upon any other part of the state highway system or at state ferry terminals, or that a general reduction of any maximum speed hereinbefore set forth would aid in the conservation of energy resources, (~~said commission~~) the secretary may determine and declare a reasonable and safe lower maximum limit or a lower maximum limit which will reasonably conserve energy resources, for any state highway, the entire state highway system, or any portion thereof, which shall be effective when appropriate signs giving notice thereof are erected. The (~~commission~~) secretary may also fix and regulate the speed of vehicles on any

state highway within the maximum speed limit allowed by this chapter for special occasions including, but not limited to, local parades and other special events. Any such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon the said signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective (a) when posted upon appropriate fixed or variable signs or (b) if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of RCW 46.61.410, as now or hereafter amended.

Sec. 36. Section 3, chapter 16, Laws of 1963 as last amended by section 2, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.410 are each amended to read as follows:

(1) Subject to subsection (2) below the (~~state highway commission~~) secretary may increase the maximum speed limit on any highway or portion thereof to not more than seventy miles per hour in accordance with the design speed thereof (taking into account all safety elements included therein), or whenever (~~said commission~~) the secretary determines upon the basis of an engineering and traffic investigation that such greater speed is reasonable and safe under the circumstances existing on such part of the highway. The greater maximum limit so determined shall be effective, when appropriate signs giving notice thereof are erected, or if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of this section.

Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon said signs or in the case of auto stages, as indicated in said written notice; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs or if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of this section.

(2) The maximum speed limit for vehicles over ten thousand pounds gross weight and vehicles in combination except auto stages shall not exceed sixty miles per hour and may be established at a lower limit by the (~~state highway commission~~) secretary as provided in RCW 46.61.405, as now or hereafter amended.

(3) The word "trucks" used by the (~~state highway commission~~) department on signs giving notice of maximum speed limits shall mean vehicles over ten thousand pounds gross weight and all vehicles in combination except auto stages.

(4) Whenever the (~~state highway commission~~) secretary shall establish maximum speed limits for auto stages lower than the maximum limits for automobiles, the secretary (~~of the state highway commission~~) shall (~~mail~~) cause to be mailed notice thereof to each auto transportation company holding a certificate of public convenience and necessity issued by the Washington utilities and transportation commission. The notice shall be mailed to the chief place of business within the state of Washington of each auto transportation company or if none then its chief place of business without the state of Washington.

Sec. 37. Section 4, chapter 16, Laws of 1963 as amended by section 3, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.415 are each amended to read as follows:

(1) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under (~~this act~~) RCW 46.61.400 or 46.61.440 is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which

- (a) Decreases the limit at intersections; or
- (b) Increases the limit but not to more than sixty miles per hour; or
- (c) Decreases the limit but not to less than twenty miles per hour.

(2) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under RCW 46.61.400(2) but shall not exceed sixty miles per hour.

(3) The (~~state highway commission~~) secretary of transportation is authorized to establish speed limits on county roads and city and town streets as shall be necessary to conform with any federal requirements which are a prescribed condition for the allocation of federal funds to the state.

(4) Any altered limit established as hereinbefore authorized shall be effective when appropriate signs giving notice thereof are erected. Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon such signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

(5) Any alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the (~~state highway commission~~) secretary of transportation.

Sec. 38. Section 56, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.420 are each amended to read as follows:

Any existing city or town ordinance establishing a speed limit on a state highway within the city or town in conflict with subsection (2)(c) of RCW 46.61.400 shall continue in effect not to exceed six months from August 6, 1965, during which time the city or town council may enact a reduced speed limit for such state highway subject to the provisions of subsection ~~((4))~~ (5) of RCW 46.61.415, as now or hereafter amended.

Sec. 39. Section 6, chapter 16, Laws of 1963 as last amended by section 1, chapter 135, Laws of 1969 and RCW 46.61.425 are each amended to read as follows:

(1) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law: PROVIDED, That a person following a vehicle driving at less than the legal maximum speed and desiring to pass such vehicle may exceed the speed limit, subject to the provisions of RCW 46.61.120 on highways having only one lane of traffic in each direction, at only such a speed and for only such a distance as is necessary to complete the pass with a reasonable margin of safety.

(2) Whenever the ~~((state highway commission))~~ secretary of transportation or local authorities within their respective jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway unreasonably impede the normal movement of traffic, the ~~((commission))~~ secretary or such local authority may determine and declare a minimum speed limit thereof which shall be effective when appropriate signs giving notice thereof are erected. No person shall drive a vehicle slower than such minimum speed limit except when necessary for safe operation or in compliance with law.

Sec. 40. Section 46.48.041, chapter 12, Laws of 1961 as amended by section 4, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.430 are each amended to read as follows:

Notwithstanding any law to the contrary or inconsistent herewith, the ~~((Washington state highway commission))~~ secretary of transportation shall have the power and the duty to fix and regulate the speed of vehicles within the maximum speed limit allowed by law for state highways, designated as limited access facilities, regardless of whether a portion of said highway is within the corporate limits of a city or town. No governing body or authority of such city or town or other political subdivision may have the power to pass or enforce any ordinance, rule, or regulation requiring a different rate of speed, and all such ordinances, rules, and regulations contrary to or inconsistent therewith now in force are void and of no effect.

Sec. 41. Section 46.48.080, chapter 12, Laws of 1961 and RCW 46.61.450 are each amended to read as follows:

It shall be unlawful for any person to operate a vehicle or any combination of vehicles over any bridge or other elevated structure or through any tunnel or underpass constituting a part of any public highway at a rate of speed or with a gross weight or of a size which is greater at any time than the maximum speed or maximum weight or size which can be maintained or carried with safety over any such bridge or structure or through any such tunnel, or underpass when such bridge, structure, tunnel or underpass is sign posted as hereinafter provided. The ~~((state highway commission))~~ secretary of transportation, if it be a bridge, structure, tunnel, or underpass upon a state highway, or the governing body or authorities of any county, city, or town, if it be upon roads or streets under their jurisdiction, may restrict the speed which may be maintained or the gross weight or size which may be operated upon or over any such bridge or elevated structure or through any such tunnel or underpass with safety thereto. The ~~((state highway commission))~~ secretary or the governing body or authorities of any county, city, or town having jurisdiction shall determine and declare the maximum speed or maximum gross weight or size which such bridge, elevated structure, tunnel, or underpass can withstand or accommodate and shall cause suitable signs stating such maximum speed or maximum gross weight, or size, or either, to be erected and maintained on the right hand side of such highway, road, or street and at a distance of not less than one hundred feet from each end of such bridge, structure, tunnel, or underpass and on the approach thereto: PROVIDED, That in the event that any such bridge, elevated structure, tunnel, or underpass is upon a city street designated by the ~~((state highway))~~ transportation commission as forming a part of the route of any state highway through any such incorporated city or town the determination of any maximum speed or maximum gross weight or size which such bridge, elevated structure, tunnel, or underpass can withstand or accommodate shall not be enforceable at any speed, weight, or size less than the maximum allowed by law, unless with the approval in writing of the ~~((state highway commission))~~ secretary. Upon the trial of any person charged with a violation of this section, proof of either violation of maximum speed or maximum weight, or size, or either, and the distance and location of such signs as are required, shall constitute conclusive evidence of the maximum speed or maximum weight, or size, or either, which can be maintained or carried with safety over such bridge or elevated structure or through such tunnel or underpass.

Sec. 42. Section 66, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.570 are each amended to read as follows:

(1) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

(a) Stop, stand, or park a vehicle:

(i) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(ii) On a sidewalk or street planting strip;

(iii) Within an intersection;

(iv) On a crosswalk;

(v) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone:

(vi) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(vii) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(viii) On any railroad tracks; or

(ix) At any place where official signs prohibit stopping(❏);

(b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(i) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;

(ii) Within fifteen feet of a fire hydrant;

(iii) Within twenty feet of a crosswalk;

(iv) Within thirty feet upon the approach to any flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;

(v) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seven-and-a-half feet of said entrance; or

(vi) At any place where official signs prohibit standing(❏);

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

(i) Within fifty feet of the nearest rail of a railroad crossing; or

(ii) At any place where official signs prohibit parking.

(2) Parking or standing shall be permitted in the manner provided by law at all other places except a time limit may be imposed or parking restricted at other places, but such limitation and restriction shall be by city ordinance or county resolution or order of the ~~((state highway commission))~~ secretary of transportation upon public highways under their respective jurisdictions.

(3) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

Sec. 43. Section 67, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.575 are each amended to read as follows:

(1) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or edge of the roadway.

(2) Except when otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or edge of the roadway, or its left-hand wheels within twelve inches of the left-hand curb or edge of the roadway.

(3) Local authorities may by ordinance or resolution permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the ~~((state highway commission))~~ secretary of transportation has determined by ~~((resolution or))~~ order that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(4) The ~~((state highway commission))~~ secretary with respect to highways under ~~((its))~~ his jurisdiction may place signs prohibiting or restricting the stopping, standing, or parking of vehicles on any highway where ~~((in its opinion, as evidenced by resolution or))~~ the secretary has determined by order, such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon. Such signs shall be official signs and no person shall stop, stand, or park any vehicle in violation of the restrictions stated on such signs.

Sec. 44. Section 46.68.120, chapter 12, Laws of 1961 as last amended by section 47, chapter 195, Laws of 1973 1st ex. sess. and RCW 46.68.120 are each amended to read as follows:

It shall be paid to the counties of the state shall be subject to deduction and distribution as follows:

(1) Three-fourths of one percent of such sums shall be deducted monthly as such sums accrue and set aside for the use of the ~~((state highway commission))~~ department of transportation and the county road administration board for the supervision of work and expenditures of such counties on the county roads thereof, including the supervision and administration of federal-aid programs for which the department of transportation has responsibility: That any moneys so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

(3) The balance remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, upon the basis of the following formula:

(a) Ten percent of such sum shall be divided equally among the several counties.

(b) Thirty percent shall be paid to each county in direct proportion that the sum of the total number of private automobiles and trucks licensed by registered owners residing in unincorporated areas and seven percent of the number of private automobiles and trucks licensed by registered owners residing in incorporated areas within each county bears to the total of such sums for all counties. The number of registered vehicles so used shall be as certified by the ~~((director of the))~~ department of ~~((motor vehicles))~~ transportation for the year next preceding the date of calculation of the allocation amounts. The ~~((director of the))~~ department shall first supply such information not later than the fifteenth day of February, 1956, and on the fifteenth of February each two years thereafter.

(c) Thirty percent shall be paid to each county in direct proportion that the product of the county's trunk highway mileage and its prorated estimated annual cost per trunk mile as provided in subsection (e) is to the sum of such products for all counties. County trunk highways are defined as county roads regularly used by school buses and/or rural free delivery mail carriers of the United States post office department, but not foot carriers. Determination of the number of miles of county roads used in each county by school buses shall be based solely upon information supplied by the superintendent of public instruction who shall on October 1, 1955, and on October 1st of each odd-numbered year thereafter furnish the ((state highway)) transportation commission with a map of each county upon which is indicated the county roads used by school buses at the close of the preceding school year, together with a detailed statement showing the total number of miles of county highway over which school buses operated in each county during such year. Determination of the number of miles of county roads used in each county by rural mail carriers on routes serviced by vehicles during the year shall be based solely upon information supplied by the United States postal department as of January 1st of the even-numbered years.

(d) Thirty percent of such sum shall be paid to each of the several counties in the direct proportion that the product of the trunk highway mileage of the county and its "money need factor" as defined in subsection (f) is to the total of such products for all counties.

(e) Every four years, beginning with the 1958 allocation, the ((highway)) transportation commission and the legislative transportation committee shall reexamine or cause to be reexamined all the factors on which the estimated annual costs per trunk mile for the several counties have been based and shall make such adjustments as may be necessary. The following formula shall be used: One twenty-fifth of the estimated total county road replacement cost, plus the total annual maintenance cost, divided by the total miles of county road in such county, and multiplied by the result obtained from dividing the total miles of county road in said county by the total trunk road mileage in said county. For the purpose of allocating funds from the motor vehicle fund, a county road shall be defined as one established as such by resolution or order of establishment of the board of county commissioners. The first allocation of funds shall be based on the following prorated estimated annual costs per trunk mile for the several counties as follows:

Adams	\$1,227.00
Asotin	1,629.00
Benton	1,644.00
Chelan	2,224.00
Clallam	2,059.00
Clark	1,710.00
Columbia	1,391.00
Cowlitz	1,696.00
Douglas	1,603.00
Ferry	1,333.00
Franklin	1,612.00
Garfield	1,223.00
Grant	1,714.00
Grays Harbor	2,430.00
Island	1,153.00
Jefferson	2,453.00
King	2,843.00
Kitsap	1,938.00
Kittitas	1,565.00
Klickitat	1,376.00
Lewis	1,758.00
Lincoln	1,038.00
Mason	1,748.00
Okanogan	1,260.00
Pacific	2,607.00
Pend Oreille	1,753.00
Pierce	2,276.00
San Juan	1,295.00
Skagit	1,966.00
Skamania	2,023.00
Snohomish	2,269.00
Spokane	1,482.00
Stevens	1,068.00
Thurston	1,870.00
Wahkiakum	2,123.00
Walla Walla	1,729.00
Whatcom	1,738.00
Whitman	1,454.00
Yakima	1,584.00

PROVIDED, HOWEVER, That the prorated estimated annual costs per trunk mile in this subsection shall be adjusted every four years, beginning with the 1958 allocation by the ((highway)) transportation commission on the basis of changes in the trunk and total county road mileage based on information supplied by the superintendent of public instruction, the United States postal department and the annual reports of the county road departments.

(f) The "money need factor" for each of the several counties shall be the difference between the prorated estimated annual costs as listed above and the sum of the following three amounts divided by the county trunk highway mileage:

(1) The equivalent of a two dollar and twenty-five cents per thousand dollars of assessed value tax levy on the valuation, as equalized by the state department of revenue for state purposes, of all taxable property in the county road districts;

(2) One-fourth the sum of all funds received by the county from the federal forest reserve fund during the two calendar years next preceding the date of the adjustment of the allocation amounts as certified by the state treasurer; and

(3) One-half the sum of motor vehicle license fees and motor vehicle fuel tax refunded to the county during the two calendar years next preceding the date of the adjustment of the allocation amounts as provided in RCW 46.68.080. These shall be as supplied to the ((highway)) transportation commission by the state treasurer for that purpose. The department of revenue and the state treasurer shall supply the information herein requested on or before January 1, 1956 and on said date each two years thereafter.

The following formula shall be used for the purpose of obtaining the "money need factor" of the several counties: The prorated estimated annual cost per trunk mile multiplied by the trunk miles will equal the total need of the individual county. The total need minus the sum of the three resources set forth in subsection (f) shall equal the net need. The net need of the individual county divided by the total net needs for all counties shall equal the "money need factor" for that county.

(g) The ((state highway)) transportation commission shall adjust the allocations of the several counties on March 1st of every even-numbered year based solely upon the sources of information hereinbefore required: PROVIDED, That the total allocation factor composed of the sum of the four factors defined in subsections (a), (b), (c), and (d) shall be held to a level not more than five percent above or five percent below the total allocation factor in use during the previous two year period.

(h) The ((highway)) transportation commission and the legislative transportation committee shall relog or cause to be relogged the total road mileages upon which the prorated estimated annual costs per trunk mile are based and shall recalculate such costs on the basis of such relogging and shall report their findings and recommendations to the legislature at its next regular session.

(i) The ((highway)) transportation commission and the legislative transportation committee shall study and report their findings and recommendations to the legislature concerning the following problems as they affect the allocation of "motor vehicle fund" funds to counties:

- (1) Comparative costs per trunk mile based on federal aid contracts versus those herein advocated((:));
- (2) Average costs per trunk mile((:));
- (3) The advisability of using either "trunk mileage" or "county road" mileage exclusively as the criterion instead of both as in this plan adopted((:));
- (4) Reassessment of bridge costs based on current information and relogging of bridges((:));
- (5) The items in the list of resources used in determining the "need factor"((:));
- (6) The development of a uniform accounting system for counties with regard to road and bridge construction and maintenance costs((:));
- (7) A redefinition of rural and urban vehicles which better reflects the use of said vehicles on county roads.

Sec. 45. Section 47.01.110, chapter 13, Laws of 1961 and RCW 47.01.110 are each amended to read as follows:

The ((director)) assistant secretary for the division of highways shall be fully competent as a highway engineer and as an executive. He shall be a registered professional engineer and shall be a graduate in engineering of an accredited university or college or have in lieu thereof experience as a civil engineer in responsible charge of work equivalent to such education, and in addition experience in highway or road construction for a period of not less than five years. He need not be a resident of the state at the time of his appointment.

Sec. 46. Section 2, chapter 173, Laws of 1963 as amended by section 2, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.020 are each amended to read as follows:

The ((state highway commission)) department of transportation is hereby directed to conduct periodic analyses of the entire state highway system, and based thereon, to subdivide and classify according to their function and importance all designated state highways and those added from time to time other than the national system of interstate and defense highways and periodically review and revise the classifications, into the following additional four functional classes:

- (1) The "principal state highway system" which shall comprise not to exceed twenty percent of the total state highway mileage other than the interstate system((:));
- (2) The "major state highway system" which shall comprise not to exceed thirty-five percent of the total state highway mileage other than the interstate system((:));
- (3) The "collector state highway system" which shall comprise not to exceed thirty-five percent of the total state highway mileage other than the interstate system((:));
- (4) The "other state highway system".

In making such functional classification the ~~((highway commission))~~ department shall be governed by reasonable ~~((rules and regulations))~~ policies adopted by the commission, and give consideration to the following criteria:

- (a) Urban population centers within and without the state stratified and ranked according to size;
- (b) Important traffic generating economic activities, including but not limited to recreation, agriculture, government, business, and industry;
- (c) Feasibility of route, including availability of alternate routes within and without the state;
- (d) Directness of travel and distance between points of economic importance;
- (e) Length of trips;
- (f) Character and volume of traffic;
- (g) Preferential consideration for multiple service;
- (h) Reasonable spacing depending upon population density; and
- (i) System continuity, except for the "other" system.

Sec. 47. Section 3, chapter 173, Laws of 1963 as last amended by section 4, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.030 are each amended to read as follows:

The ~~((state highway commission))~~ department of transportation shall adopt and periodically revise in accordance with the policies established by the transportation commission and after consultation with the legislative transportation committee and senate and house transportation and utilities committees a long range plan for highway improvements, specifying highway planning objectives to be accomplished within a fourteen year advance planning period, and within the framework of revenue estimates for such period. The plan shall be based upon the construction needs for state highways as determined and segregated according to functional class by the ~~((highway commission))~~ department from time to time.

With such reasonable deviations as may be required to effectively utilize the available funds and to adjust to unanticipated delays in programmed projects, the ~~((highway commission))~~ department shall allocate the estimated available funds, so as to carry out such rates of completion within a fourteen year advance planning period on that part of the national system of interstate and defense highways on which the federal government participates financially at the interstate rate under federal law and regulations, on the parts of the national system of interstate and defense highways on which federal aid participation is less than the regular interstate rate under federal law and regulations; and on the remaining four functional classes as the ~~((highway commission))~~ department, acting pursuant to ~~((reasonable rules and regulations))~~ policies adopted by the commission, shall determine to be necessary in order to maintain a balanced development of the state's highway system, considering primarily the following factors:

- (a) The relative remaining needs of each functional class of highways;
- (b) The estimated available funds;
- (c) Continuity of future developments with those previously programmed; and
- (d) Graduation of rates of completion according to functional class importance.

Sec. 48. Section 7, chapter 173, Laws of 1963 as amended by section 7, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.070 are each amended to read as follows:

The ~~((state highway))~~ transportation commission, with the assistance of the department, shall ~~((prepare))~~ approve and present to the governor and to the legislature ~~((at the time of))~~ prior to its convening, a recommended budget for the ensuing biennium. The biennial budget shall include details of proposed expenditures, performance and public service criteria for construction, maintenance, and planning activities in consonance with the six-year comprehensive program and financial plan adopted under provisions of RCW 47.05.040.

Sec. 49. Section 47.12.010, chapter 13, Laws of 1961 as amended by section 4, chapter 108, Laws of 1967 and RCW 47.12.010 are each amended to read as follows:

Whenever it is necessary to secure any lands or interests in land for a right of way for any state highway, or for the drainage thereof or construction of a protection therefor or so as to afford unobstructed vision therefor toward any railroad crossing or another public highway crossing or any point of danger to public travel or to provide a visual or sound buffer between highways and adjacent properties or for the purpose of acquiring sand pits, gravel pits, borrow pits, stone quarries, or any other land for the extraction of materials for construction or maintenance or both, or for any site for the erection upon and use as a maintenance camp, of any state highway, or any site for other necessary structures or for structures for the health and accommodation of persons traveling or stopping upon the state highways of this state, or any site for the construction and maintenance of structures and facilities adjacent to, under, upon, within, or above the right of way of any state highway for exclusive or nonexclusive use by an urban public transportation system, or for any other highway purpose, together with right of way to reach such property and gain access thereto, the ~~((highway commission))~~ department of transportation is authorized to acquire such lands or interests in land in behalf of the state by gift, purchase, or condemnation. In case of condemnation to secure such lands or interests in land, the action shall be brought in the name of the state of Washington in the manner provided for the acquiring of property for the public uses of the state, and in such action the selection of the lands or interests in land by the ~~((highway commission))~~ secretary of transportation shall, in the absence of bad faith, arbitrary, capricious, or fraudulent action, be conclusive upon the court and judge before which the action is brought that said lands or interests in land are necessary for public use for the purposes sought. The cost and expense of such lands or interests in land may be paid as a part of the cost of the state highway for which such right of way, drainage, unobstructed vision, sand pits, gravel pits, borrow pits, stone quarries, maintenance camp sites, and structure sites or other lands are acquired.

Sec. 50. Section 47.12.060, chapter 13, Laws of 1961 and RCW 47.12.060 are each amended to read as follows:

When a state highway is relocated and the old route is abandoned, and the new route crosses land owned by a person who owns land abutting on the old route, the ~~((Washington state highway commission))~~ department may agree with the owner to convey to him title to the old route or a part thereof as all or part consideration for his land to be taken for the new route.

Whenever the state has abandoned any highway rights of way, pit sites, or stock pile sites or owns land not needed for highway purposes, the ~~((Washington state highway commission))~~ department may sell same to abutting owners for the fair market value or exchange with any person as a consideration or part consideration for lands or property rights needed by the state, or may sell same by public auction whenever it is deemed in the public interest to do so.

The ~~((Washington state highway commission))~~ shall certify the agreement to the governor with a description of the property to be conveyed, and the governor may execute and the secretary of state shall attest) secretary of transportation shall execute the deed, which shall be duly acknowledged, and deliver it to the grantee.

Sec. 51. Section 47.12.070, chapter 13, Laws of 1961 as amended by section 2, chapter 91, Laws of 1969 and RCW 47.12.070 are each amended to read as follows:

If the ~~((Washington state highway commission))~~ department deems that any land is no longer required for state highway purposes and that it is in the public interest so to do, ~~((said highway commission))~~ the department may negotiate for the sale of the land to a city or county of the state. ~~((The state highway commission shall certify the agreement for the sale to the governor, with a description of the land and the terms of the sale, and the governor may execute and the secretary of the state shall attest))~~ If a sale is agreed to, the secretary of transportation shall execute the deed, which shall be duly acknowledged, and deliver it to the grantee.

Any moneys received pursuant to the provisions of this section shall be deposited in the motor vehicle fund.

Sec. 52. Section 47.12.080, chapter 13, Laws of 1961 and RCW 47.12.080 are each amended to read as follows:

Whenever in the construction, reconstruction, location, or improvement of any state highway it may become necessary to transfer and convey to the United States, its agencies or instrumentalities, to any municipal subdivision of this state, or to any public utility company, any unused state highway right of way or real property, and in the judgment of the ~~((highway commission))~~ secretary of transportation and the attorney general, such transfer and conveyance is consistent with public interest, the ~~((highway commission))~~ secretary may enter into agreements accordingly. Whenever the ~~((highway commission))~~ secretary shall make any such agreement for any such transfer or conveyance, and ~~((together with))~~ the attorney general concurs therein, ~~((certifies to the governor that such agreement has been made setting forth in such certification a description of the lands or premises involved, the governor may execute and the secretary of state shall attest))~~ the secretary shall execute and deliver unto the United States government, or its agencies or instrumentalities, unto any municipal subdivision of this state, or unto any public utility company, a duly acknowledged deed of conveyance, easement, or other instrument necessary to fulfill the terms of the aforesaid agreement. All moneys paid to the state of Washington under any of the provisions hereof shall be deposited in the motor vehicle fund.

Sec. 53. Section 47.12.120, chapter 13, Laws of 1961 as amended by section 1, chapter 91, Laws of 1969 and RCW 47.12.120 are each amended to read as follows:

The ~~((highway commission))~~ department is authorized, subject to the provisions and requirements of zoning ordinances of political subdivisions of government, to rent or lease any lands, improvements, or air space above or below any lands, including those used or to be used for both limited access and conventional highways which are held for highway purposes but are not presently needed, upon such terms and conditions as the ~~((highway commission))~~ department may determine.

Sec. 54. Section 47.12.130, chapter 13, Laws of 1961 and RCW 47.12.130 are each amended to read as follows:

Whenever the ~~((state))~~ department ~~((of highways))~~ shall have title to any parcel of land acquired for highway purposes which the ~~((state highway commission))~~ secretary of transportation shall determine is not necessary for highway purposes, the ~~((commission))~~ secretary of transportation is authorized to ~~((cause))~~ deed such land ~~((to be deeded))~~ to the owner of land abutting upon such parcel in consideration, or partial consideration, for other lands owned by such property owner which the ~~((highway commission))~~ department deems to be necessary for highway purposes. ~~((The governor is authorized to execute and the secretary of state shall attest the conveyances necessary to carry out such exchange.))~~

Sec. 55. Section 47.12.140, chapter 13, Laws of 1961 and RCW 47.12.140 are each amended to read as follows:

Whenever the ~~((state highway))~~ department shall have acquired any lands for highway purposes, except state granted lands, upon which are located any structures, timber, or other thing of value attached to the land, which the ~~((state highway commission))~~ department shall deem it best to sever from the land and sell as personal property, the same may be sold by the department ~~((of highways))~~ at public auction after due notice thereof shall have been given in accordance with general regulations ~~((prescribed))~~ adopted by the ~~((state highway commission))~~ secretary. The ~~((state highway commission))~~ department may set minimum prices that will be accepted for any item offered for sale at public auction as herein provided and may prescribe terms or conditions of sale and, in the event that any item shall be offered for sale at such



auction and for which no satisfactory bids shall be received or for which the amount bid shall be less than the minimum set by the ((commission)) department, it shall be lawful for the ((commission)) department to sell such item at private sale for the best price which it deems obtainable but at not less than the highest price bid at the public auction. The proceeds of all sales under this section shall be placed in the motor vehicle fund.

Sec. 56. Section 47.12.150, chapter 13, Laws of 1961 and RCW 47.12.150 are each amended to read as follows:

Whenever the ((highway commission)) department shall need for highway purposes land or property rights belonging to the United States government or any municipality or political subdivision of the state, or which shall be a part of the right of way of any public utility having authority to exercise powers of eminent domain, when the acquisition of such property by the state will result in the displacement of any existing right of way or facility, the ((state highway commission)) department is authorized to acquire by condemnation or otherwise such lands and property rights as shall be needed to relocate such right of way or facilities so displaced and to exchange lands or property rights so acquired in consideration or partial consideration for the land or property rights needed for highway purposes. The ((governor, at the request of the state highway commission,)) secretary of transportation shall execute all conveyances, duly acknowledged, necessary to accomplish such exchange.

Sec. 57. Section 2, chapter 281, Laws of 1961 and RCW 47.12.190 are each amended to read as follows:

The ((Washington state highway commission)) department, in addition to its other powers and duties as provided by law, is authorized to purchase or condemn any real property or property rights therein which it deems will be necessary for the improvements of routes on the state highway system by the method provided in RCW 47.12.180 through 47.12.240. Condemnation actions brought hereunder shall be brought in the name of the state as provided for acquiring property for the public uses of the state, and in such actions selection of the property and property rights by the ((highway commission)) secretary of transportation is conclusive that they are necessary for the purposes sought, in the absence of bad faith, or arbitrary, capricious, or fraudulent action.

Sec. 58. Section 3, chapter 281, Laws of 1961 as amended by section 2, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.200 are each amended to read as follows:

The ((highway)) transportation commission may enter into agreements with the state finance committee for financing the acquisition, by purchase or condemnation, of real property together with engineering costs that the ((highway)) transportation commission deems will be necessary for the improvement of the state highway system. Such agreements may provide for the acquisition of an individual parcel or for the acquisition of any number of parcels within the limits of a contemplated highway project.

Sec. 59. Section 5, chapter 281, Laws of 1961 as amended by section 4, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.220 are each amended to read as follows:

Each such agreement shall include, but shall not be limited to the following:

(1) A provision stating the term of the agreement which shall not extend more than seven years from the effective date of the agreement((:));

(2) A designation of the specific fund or funds to be used to carry out such agreement((:));

(3) A provision that the ((highway commission)) department of transportation may redeem warrants purchased by the state finance committee at any time prior to the letting of a highway improvement contract utilizing the property; and further, during the effective period of each such agreement the ((highway commission)) department of transportation shall redeem such warrants whenever such a highway improvement contract is let, or upon the expiration of such agreement, whichever date is earlier((:));

(4) A provision stating the rate of interest such warrants shall bear commencing at the time of purchase by the state finance committee((:));

(5) Any additional provisions agreed upon by the ((highway)) transportation commission and the state finance committee which are necessary to carry out the purposes of such agreement as indicated by RCW 47.12.180 through 47.12.240, as now or hereafter amended.

Sec. 60. Section 47.24.010, chapter 13, Laws of 1961 as amended by section 3, chapter 95, Laws of 1973 and RCW 47.24.010 are each amended to read as follows:

The ((state highway)) transportation commission shall determine what streets, together with bridges thereon and wharves necessary for use for ferriage of motor vehicle traffic in connection with such streets, if any, in any incorporated cities and towns shall form a part of the route of state highways and between the first and fifteenth days of July of any year the ((state highway commission)) department of transportation shall certify to the clerk of each city or town, by brief description, the streets, together with the bridges thereon and wharves, if any, in such city or town which are designated as forming a part of the route of any state highway; and all such streets, including curbs and gutters and street intersections and such bridges and wharves, shall thereafter be a part of the state highway system and as such shall be constructed and maintained by the ((state highway commission)) department of transportation from any state funds available therefor: PROVIDED, That the responsibility for the construction and maintenance of any such street together with its appurtenances may be returned to a city or a town upon certification by the ((state highway commission)) department of transportation to the state auditor and to the clerk of any city or town that such street, or portion thereof, is no longer required as a part of the state highway system: PROVIDED FURTHER, That any such certification that a street, or portion thereof, is no longer required as a part of the state highway system shall be made between the first and fifteenth of July following the determination by the ((state highway commission)) department that such street or portion thereof is no

longer required as a part of the state highway system, but this shall not prevent the (~~state highway commission~~) department and any city or town from entering into an agreement that a city or town will accept responsibility for such a street or portion thereof at some time other than between the first and fifteenth of July of any year.

Sec. 61. Section 20, chapter 83, Laws of 1967 ex. sess. as amended by section 3, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.140 are each amended to read as follows:

The (~~assistant director of highways for state aid~~) department of transportation shall furnish necessary staff services and facilities required by the urban arterial board. The cost of such services, together with travel expenses of the members and all other lawful expenses of the board, shall be paid from the urban arterial trust account in the motor vehicle fund. The urban arterial board may appoint an executive secretary who shall serve at its pleasure and whose salary shall be set by the board and paid from the urban arterial trust account in the motor vehicle fund.

Sec. 62. Section 47.28.010, chapter 13, Laws of 1961 and RCW 47.28.010 are each amended to read as follows:

Whenever the general route of any state highway shall be designated and laid out as running to or by way of certain designated points, without specifying the particular route to be followed to or by way of such points, the (~~highway~~) transportation commission shall determine the particular route to be followed by said state highway to or by way of said designated points, and shall be at liberty to select and adopt as a part of such state highway, the whole or any part of any existing public highway previously designated as a county road, primary road, or secondary road or now or hereafter classified as a county road. The (~~highway~~) commission need not select and adopt the entire routes for such state highways at one time, but may select and adopt parts of such routes from time to time as it deems advisable. Where a state highway is designated as passing by way of a certain point, this shall not require the (~~highway~~) commission to cause such state highway to pass through or touch such point but such designation is directional only and may be complied with by location in the general vicinity. The (~~highway commission~~) department of transportation is empowered to construct as a part of any state highway as designated and in addition to any portion meeting the limits of any incorporated city or town a bypass section either through or around any such incorporated city or town.

Sec. 63. Section 47.36.020, chapter 13, Laws of 1961 and RCW 47.36.020 are each amended to read as follows:

The (~~highway commission~~) secretary of transportation shall adopt specifications for a uniform system of traffic control signals consistent with the provisions of this title for use upon public highways within this state. Such uniform system shall correlate with and so far as possible conform to the system current as approved by the American Association of State Highway Officials and as set out in the manual of uniform traffic control devices for streets and highways.

Sec. 64. Section 47.36.030, chapter 13, Laws of 1961 and RCW 47.36.030 are each amended to read as follows:

The (~~highway commission~~) secretary of transportation shall have the power and it shall be its duty to adopt and designate a uniform state standard for the manufacture, display, erection, and location of all signs, signals, signboards, guideposts, and other traffic devices erected or to be erected upon the state highways of the state of Washington for the purpose of furnishing information to persons traveling upon such state highways regarding traffic regulations, directions, distances, points of danger, and conditions requiring caution, and for the purpose of imposing restrictions upon persons operating vehicles thereon. Such signs shall conform as nearly as practicable to the manual of specifications for the manufacture, display, and erection of uniform traffic control devices for streets and highways and all amendments, corrections, and additions thereto. The (~~highway commission~~) department of transportation shall prepare plans and specifications of the uniform state standard of traffic devices so adopted and designated, showing the materials, colors, and designs thereof, and shall upon the issuance of any such plans and specifications or revisions thereof and upon request, furnish to the boards of county commissioners and the governing body of any incorporated city or town, a copy thereof. Signs, signals, signboards, guideposts, and other traffic devices erected on county roads shall conform in all respects to the specifications of color, design, and location (~~devised~~) approved by the (~~highway commission~~) secretary. Traffic devices hereafter erected within incorporated cities and towns shall conform to such uniform state standard of traffic devices so far as is practicable.

Sec. 65. Section 47.52.027, chapter 13, Laws of 1961 and RCW 47.52.027 are each amended to read as follows:

The (~~state highway commission~~) secretary of transportation may adopt design standards, rules, and regulations relating to construction, maintenance, and control of access of the national system of interstate and defense highways within this state as it deems advisable to properly control access thereto, to preserve the traffic-carrying capacity of such highways, and to provide the maximum degree of safety to users thereof. In adopting such standards, rules, and regulations the (~~commission~~) secretary shall take into account the policies, rules, and regulations of the United States secretary of commerce and the (~~bureau of public roads~~) federal highway administration relating to the construction, maintenance, and operation of the system of interstate and defense highways. The standards, rules, and regulations so adopted by the (~~commission~~) secretary shall constitute the public policy of this state and shall have the force and effect of law.

Sec. 66. Section 5, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.139 are each amended to read as follows:

Upon receipt of the findings and order adopting a plan, the county, city, or town may notify the ~~((state highway commission))~~ department of transportation of its approval of such plan in writing, in which event such plan shall be final.

In the event that a county, city, or town does not approve the plan, the county, city, or town shall file its disapproval in writing with the ~~((state highway commission))~~ secretary of transportation within thirty days after the mailing thereof to such mayor or county commissioner. Along with the written disapproval shall be filed a written request for a hearing before a board of review, hereinafter referred to as the board. The request for hearing shall set forth the portions of the plan of the ~~((state highway commission))~~ department to which the county, city, or town objects, and shall include every issue to be considered by the board. The hearing before a board of review shall be governed by RCW 47.52.150 through 47.52.190, as now or hereafter amended.

Sec. 67. Section 47.52.150, chapter 13, Laws of 1961 as amended by section 3, chapter 103, Laws of 1963 and RCW 47.52.150 are each amended to read as follows:

Upon request for a hearing before the board by any county, city, or town, a board consisting of five members shall be appointed as follows: The mayor or the county commissioners, as the case may be shall appoint two members of the board, of which one shall be a duly elected official of the city, county, or legislative district, except that of the legislative body of the county, city, or town requesting the hearing, subject to confirmation by the legislative body of the city or town; the ~~((state highway commission))~~ secretary of transportation shall appoint two members of the board (~~who shall not be members of such commission~~); and one member shall be selected by the four members thus appointed. Such fifth member shall be a licensed civil engineer or a recognized professional city or town planner, who shall be chairman of the board. In the case both the county and an included city or town request a hearing, the board shall consist of nine members appointed as follows: The mayor and the county commission shall each appoint two members from the elective officials of their respective jurisdictions, and of the four thus selected no more than two thereof may be members of a legislative body of the county, city, or town. The ~~((state highway commission))~~ secretary of transportation shall appoint four members of the board (~~who shall not be members of such commission~~). One member shall be selected by the members thus selected, and such ninth member shall be a licensed civil engineer or a recognized city or town planner, who shall be chairman of the board. Such boards as are provided by this section shall be appointed within thirty days after ~~((the next meeting of the state highway commission immediately following))~~ the receipt of such a request by the ~~((commission))~~ secretary. In the event the ~~((state highway commission))~~ secretary or a county, city, or town shall not appoint members of the board or members thus appointed fail to appoint a fifth or ninth member of the board, as the case may be, either the ~~((state highway commission))~~ secretary or the county, city, or town may apply to the superior court of the county in which the county, city, or town is situated to appoint the member or members of the board in accordance with the provisions of this chapter.

Sec. 68. Section 47.52.180, chapter 13, Laws of 1961 and RCW 47.52.180 are each amended to read as follows:

At the conclusion of such hearing, the board shall consider the evidence taken and shall make specific findings with respect to the objections and issues within thirty days after the hearing, which findings shall approve, disapprove, or modify the proposed plan of the ~~((state highway commission))~~ department of transportation. Such findings shall be final and binding upon both parties.

Sec. 69. Section 47.56.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 180, Laws of 1969 ex. sess. and RCW 47.56.030 are each amended to read as follows:

The ~~((state highway commission))~~ department of transportation shall have full charge of the construction of all toll bridges and other toll facilities including the Washington state ferries (~~that may be authorized by the Washington toll bridge authority~~), and the operation and maintenance thereof (~~and the collection of tolls and charges thereon~~). The transportation commission shall determine and establish the tolls and charges thereon, and shall perform all duties and exercise all powers relating to the financing, refinancing, and fiscal management of the state ferry systems, and bonded indebtedness in the manner provided by law. The ((commission)) department shall have full charge of design of all toll facilities. The ((commission)) department shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract in the manner of state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable. The ((highway commission)) department is authorized to negotiate contracts for any amount without bid in order to make repairs to ferries or ferry terminal facilities or removal of such facilities whenever continued use of ferries or ferry terminal facilities constitutes a real or immediate danger to the traveling public or precludes prudent use of such ferries or facilities.

Sec. 70. Section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070 are each amended to read as follows:

The ~~((authority))~~ department of transportation may provide for the establishment, construction, and operation of toll tunnels, toll roads, and other facilities necessary for their construction and connection with public highways of the state. It may cause surveys to be made to determine the propriety of their establishment, construction, and operation, and may acquire rights of way and other facilities necessary to carry out the provisions hereof; and may issue, sell, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction thereof; carry insurance thereon; and handle any other matters pertaining thereto, all of which shall be conducted in the same manner and under the same procedure as provided for the establishing, constructing, operating, and maintaining of toll bridges by the ~~((authority))~~ department, insofar as reasonably consistent and applicable. No toll facility,

toll bridge, toll road, or toll tunnel, shall be combined with any other toll facility for the purpose of financing unless such facilities form a continuous project, to the end that each such facility or project be self-liquidating and self-sustaining (~~PROVIDED, That no toll road shall be constructed, obligations for the construction thereof entered into, or right of way acquired without prior approval of the location, plans and specifications by the Washington state highway commission~~)).

Sec. 71. Section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080 are each amended to read as follows:

Whenever in the judgment of the ((highway)) transportation commission it is considered in the best interest of the public highways of the state that any new toll bridge or bridges be constructed upon any public highway and across any stream, body of water, gulch, navigable water, swamp, or other topographical formation and operated by the state the ((highway)) commission shall ((submit its recommendation to that effect to the Washington toll bridge authority together with preliminary estimates of the cost of such construction and an estimate of the amount necessary to be raised for such purpose by the issuance of revenue bonds, and a statement of the probable amount of money, property, materials or labor to be contributed from other sources in aid of any such construction. If the Washington toll bridge authority concurs in the recommendation of the highway commission or on its own motion determines to construct any toll bridge or toll bridges, the Washington toll bridge authority shall) adopt a resolution declaring that public interest and necessity require the construction of such toll bridge or bridges and authorizing the issuance of revenue bonds for the purpose of obtaining funds in an amount not in excess of that estimated to be required for such construction. The issuance of bonds as provided in this chapter for the construction of more than one toll bridge may at the discretion of the ((Washington toll bridge authority)) commission be included in the same authority and issue of bonds.

Sec. 72. Section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090 are each amended to read as follows:

((Whenever the Washington toll bridge authority shall authorize and direct the highway commission to construct a toll bridge the highway commission)) The department of transportation is empowered to secure right of way ((therefor)) for toll bridges and for approaches thereto by gift or purchase, or by condemnation in the manner provided by law for the taking of private property for public highway purposes.

Sec. 73. Section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120 are each amended to read as follows:

In the event that the ((Washington toll bridge authority)) transportation commission should determine that any toll bridge should be constructed ((under its authority it shall authorize and direct the highway commission to construct such toll bridge. In the event the highway commission is authorized and directed to construct such toll bridge)), all cost thereof including right of way, survey, and engineering shall be paid out of any funds available for payment of the cost of such toll bridge under this chapter.

Sec. 74. Section 47.56.250, chapter 13, Laws of 1961 and RCW 47.56.250 are each amended to read as follows:

Whenever a proposed toll bridge, toll road, toll tunnel, or any other toll facility of any sort is to be constructed, any city, county, or other political subdivision located in relation to such facility so as to benefit directly or indirectly thereby, may, either jointly or separately, at the request of the ((Washington state highway commission or the authority)) transportation commission advance or contribute money, or bonds, rights of way, labor, materials, and other property toward the expense of building the toll facility, and for preliminary surveys and the preparation of plans and estimates of cost therefor and other preliminary expenses. Any such city, county, or other political subdivision may, either jointly or separately, at the request of the transportation commission ((or the authority)) commission advance or contribute money or bonds for the purpose of guaranteeing the payment of interest or principal on the bonds issued by the ((authority)) commission to finance the toll facility. Appropriations for such purposes may be made from any funds available, including county road funds received from or credited by the state, or funds obtained by excess tax levies made pursuant to law or the issuance of general obligation bonds for this purpose. General obligation bonds issued by a city, county, or political subdivision may with the consent of the ((state highway)) commission ((or the authority)) be placed with the ((Washington toll bridge authority)) department of transportation to be sold by the ((authority)) department to provide funds for such purpose. Money, or bonds, or property so advanced or contributed may be immediately transferred or delivered to the ((authority)) department to be used for the purpose for which contribution was made. The ((authority)) commission may enter into an agreement with a city, county, or other political subdivision to repay any money, or bonds or the value of a right of way, labor, materials, or other property so advanced or contributed. The ((authority)) commission may make such repayment to a city, county, or other political subdivision and reimburse the state for any expenditures made by it in connection with the toll facility out of tolls and other revenues for the use of the toll facility.

Sec. 75. Section 3, chapter 257, Laws of 1961 as amended by section 3, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.56.254 are each amended to read as follows:

If the ((authority)) secretary of transportation determines that any real property (including lands, improvements thereon, and any interests or estates) held by the ((authority)) department is no longer required for purposes of the ((authority)) department, the ((authority)) department shall offer it for sale as authorized by RCW 47.56.252 or ((in the manner and with the authority authorized to the state highway commission by)) RCW 47.12.280. The ((authority)) department may adopt rules further implementing this section ((as granted to the highway commission by RCW 47.12.280)).

Sec. 76. Section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050 are each amended to read as follows:

~~((The commission))~~ In its capacity as successor to the canal commission, the department of transportation:

(1) Shall adopt rules and regulations necessary to carry out the purposes of this chapter.

~~(2) ((Shall meet not less than once every three months, and keep a complete record of all its proceedings. Special meetings may be called by the chairman of the commission, or by three members of the commission, by personal delivery of written notice thereof, or by delivery to their place of residence or business. Three members of the commission shall constitute a quorum to transact the business of the commission at either special or regular meetings.~~

~~(3) Shall employ a director and such other employees as are necessary to carry out functions of the commission. The attorney general shall be legal adviser for the commission.~~

~~(4))~~ (4) Shall make such investigations, surveys, and studies it deems necessary to determine the feasibility of the development of a navigation canal, or systems of navigation canals within the state of Washington.

~~((5))~~ (3) May construct, maintain, and/or operate any navigation canal, or navigation canal systems deemed feasible by the ~~((commission))~~ department of transportation.

~~((6))~~ (4) May acquire by gift, purchase, or condemnation from any person, municipal, public, or private corporation, or the state of Washington, or lease from the United States of America, any lands, rights of way, easements, or property rights in, over, or across lands or waters necessary for the construction, operation, or maintenance of any navigation canal, or navigation canal system. The acquisition of such rights is for a public use. The exercise of the right of eminent domain shall be in the manner provided by chapter 8.04 RCW, and all actions initiated thereunder shall be brought in the name of the ~~((canal commission))~~ department of transportation.

~~((7))~~ (5) May hold public hearings. Prior to a determination of feasibility for any proposed project, the ~~((commission))~~ department shall hold a public hearing so that members of the public may present their views thereon.

~~((8))~~ (6) May accept and expend moneys appropriated by the legislature or received from any public or private source, including the federal government, in carrying out the purposes of this chapter.

~~((9))~~ (7) May negotiate and cooperate with the United States of America for the purpose of inducing the United States to undertake the construction, operation, or maintenance of any navigation canal, or navigation canal system provided for in this chapter.

~~((10))~~ (8) Is authorized as a local sponsor to cooperate, contract, and otherwise fully participate on behalf of the state of Washington with the United States of America, in any study relating to a determination of feasibility of a navigation canal or navigation canal system, and in any project relating to the construction, operation, or maintenance of a navigation canal, or navigation canal system to be undertaken by the United States of America.

The authority granted herein includes, but is not limited to, contributing such moneys to the United States of America as may be required and appropriated for that purpose by the legislature and furnishing without cost to the United States of America all lands, easements, and rights of way ~~((and perform))~~, performing all necessary alterations to utilities arising from any project, and holding the United States of America free from any claims for damages arising out of the construction of any project.

NEW SECTION. Sec. 77. There is added to Title 47 RCW a new section to read as follows:

If any part of this title or any section of this 1975 amendatory act is ruled to be in conflict with federal requirements which are a prescribed condition of the allocation of federal funds to the state, or to any department or agencies thereof, such conflicting part or section is declared to be inoperative solely to the extent of the conflict. No such ruling shall affect the operation of the remainder of the act. Any internal reorganization carried out under the terms of this title or any section of this 1975 amendatory act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 78. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 79. The rule of strict construction shall have no application to this title, and it shall be liberally construed in order to carry out the objectives for which it is designed. Any ambiguities arising from its interpretation should be resolved consistently with the broad purposes set forth in section 1 of this 1975 amendatory act.

NEW SECTION. Sec. 80. Title 47 RCW, presently titled "Public Highways" shall, upon the implementation of this 1975 amendatory act, be known and referred to as "Public Highways and Transportation". Chapters 14.04 and 91.12 RCW shall be recodified as part of Title 47 RCW.

NEW SECTION. Sec. 81. The following acts or parts of acts are each repealed:

(1) Section 3, chapter 165, Laws of 1947, section 1, chapter 68, Laws of 1967 and RCW 14.04.030;

(2) Section 4, chapter 165, Laws of 1947, section 1, chapter 289, Laws of 1961, section 2, chapter 68, Laws of 1967 and RCW 14.04.040;

(3) Section 5, chapter 165, Laws of 1947 and RCW 14.04.050;

(4) Section 1, chapter 156, Laws of 1965 and RCW 46.01.010;

(5) Section 2, chapter 156, Laws of 1965 and RCW 46.01.020;

(6) Section 9, chapter 156, Laws of 1965 and RCW 46.01.090;

- (7) Section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; .  
 (8) Section 47.01.020, chapter 13, Laws of 1961 and RCW 47.01.020;  
 (9) Section 47.01.030, chapter 13, Laws of 1961, section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030;  
 (10) Section 47.01.040, chapter 13, Laws of 1961, section 31, chapter 170, Laws of 1965 ex. sess. and RCW 47.01.040;  
 (11) Section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050;  
 (12) Section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060;  
 (13) Section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080;  
 (14) Section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090;  
 (15) Section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100;  
 (16) Section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120;  
 (17) Section 47.01.130, chapter 13, Laws of 1961, section 10, chapter 307, Laws of 1961 and RCW 47.01.130;  
 (18) Section 1, chapter 29, Laws of 1974 ex. sess. and RCW 47.01.160;  
 (19) Section 10, chapter 278, Laws of 1961, section 30, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.034;  
 (20) Section 2, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.020;  
 (21) Section 3, chapter 123, Laws of 1965 ex. sess., section 1, chapter 36, Laws of 1967 and RCW 91.12.030; and  
 (22) Section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040.

**NEW SECTION.** Sec. 82. There is hereby appropriated from the general fund to the department of transportation eight thousand dollars for the period ending June 30, 1975, to carry out the provisions of this 1975 amendatory act. There is hereby appropriated from the motor vehicle fund to the department of transportation twenty-four thousand dollars for the period ending June 30, 1975, to carry out the provisions of this 1975 amendatory act. There is hereby appropriated from the general fund to the department of transportation one million two hundred two thousand nine hundred eighty dollars for the biennium June 30, 1977, to carry out the provisions of this 1975 amendatory act.

**NEW SECTION.** Sec. 83. This 1975 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 on July 1, 1975, except for sections 4 and 5, which shall take effect immediately."

In line 1 of the title, after "Relating to" strike the remainder of the title, and insert the following: "state government; creating a department of transportation and prescribing its general structure, personnel, powers, duties, and functions; transferring to the jurisdiction of the department of transportation and/or the secretary of transportation certain powers, duties, and functions of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the department of motor vehicles, and the canal commission; transferring to the jurisdiction of the secretary of transportation certain powers, duties, and functions of certain state officials, boards, and commissions; providing the procedure for the aforesaid transfers; saving certain rights; abolishing certain state agencies and offices; renaming Title 47 RCW and adding certain code chapters thereto; amending section 1, chapter 11, Laws of 1971 and RCW 43.17.010; amending section 2, chapter 11, Laws of 1971 and RCW 43.17.020; amending section 46.44.080, chapter 12, Laws of 1961 as amended by section 1, chapter 15, Laws of 1973 2nd ex. sess. and RCW 46.44.080; amending section 46.44.090, chapter 12, Laws of 1961 and RCW 46.44.090; amending section 46.44.091, chapter 12, Laws of 1961 as amended by section 30, chapter 281, Laws 1969 ex. sess. and RCW 46.44.091; amending section 46.44.092, chapter 12, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1970 ex. sess. and RCW 46.44.092; amending section 46.44.095, chapter 12, Laws of 1961 as last amended by section 1, chapter 76, Laws of 1974 ex. sess. and RCW 46.44.095; amending section 2, chapter 16, Laws of 1963 as last amended by section 1, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.405; amending section 3, chapter 16, Laws of 1963 as last amended by section 2, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.410; amending section 4, chapter 16, Laws of 1963 as amended by section 3, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.415; amending section 56, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.420; amending section 6, chapter 16, Laws of 1963 as last amended by section 1, chapter 135, Laws of 1969 and RCW 46.61.425; amending section 46.48.041, chapter 12, Laws of 1961 as amended by section 4, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.430; amending section 46.48.080, chapter 12, Laws of 1961 and RCW 46.61.450; amending section 66, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.570; amending section 67, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.575; amending section 46.68.120, chapter 12, Laws of 1961 as last amended by section 47, chapter 195, Laws of 1973 1st ex. sess. and RCW 46.68.120; amending section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070; amending section 47.01.110, chapter 13, Laws of 1961 and RCW 47.01.110; amending section 2, chapter 173, Laws of 1963 as amended by section 2, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.020; amending section 3, chapter 173, Laws of 1963 as last amended by section 4, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.030; amending section 7, chapter 173, Laws of 1963 as amended by section 7, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.070; amending section 47.12.010, chapter 13, Laws of 1961 as amended by section 4, chapter 108, Laws of 1967 and RCW 47.12.010; amending section 47.12.060, chapter 13, Laws of 1961 and RCW 47.12.060; amending section 47.12.070, chapter 13, Laws of 1961 as amended by section 2, chapter 91, Laws of 1969 and RCW 47.12.070; amending section 47.12.080, chapter 13, Laws of 1961 and RCW 47.12.080; amending section 47.12.120, chapter 13, Laws of 1961 as amended by section 1, chapter 91, Laws of 1969 and RCW 47.12.120; amending section 47.12.130,

chapter 13, Laws of 1961 and RCW 47.12.130; amending section 47.12.140, chapter 13, Laws of 1961 and RCW 47.12.140; amending section 47.12.150, chapter 13, Laws of 1961 and RCW 47.12.150; amending section 2, chapter 281, Laws of 1961 and RCW 47.12.190; amending section 3, chapter 281, Laws of 1961 as amended by section 2, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.200; amending section 5, chapter 281, Laws of 1961 as amended by section 4, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.220; amending section 47.24.010, chapter 13, Laws of 1961 as amended by section 3, chapter 95, Laws of 1973 and RCW 47.24.010; amending section 20, chapter 83, Laws of 1967 ex. sess. as amended by section 3, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.140; amending section 47.28.010, chapter 13, Laws of 1961 and RCW 47.28.010; amending section 47.36.020, chapter 13, Laws of 1961 and RCW 47.36.020; amending section 47.36.030, chapter 13, Laws of 1961 and RCW 47.36.030; amending section 47.52.027, chapter 13, Laws of 1961 and RCW 47.52.027; amending section 5, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.139; amending section 47.52.150, chapter 13, Laws of 1961 as amended by section 3, chapter 103, Laws of 1963 and RCW 47.52.150; amending section 47.52.180, chapter 13, Laws of 1961 and RCW 47.52.180; amending section 47.56.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 180, Laws of 1969 ex. sess. and RCW 47.56.030; amending section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070; amending section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080; amending section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090; amending section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120; amending section 47.56.250, chapter 13, Laws of 1961 and RCW 47.56.250; amending section 3, chapter 257, Laws of 1961 as amended by section 3, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.56.254; amending section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050; adding a new section to chapter 1.08 RCW; adding a new section to chapter 14.04 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding a new section to Title 46 RCW; adding a new section to chapter 13, Laws of 1961 and to chapter 47.01 RCW; adding new sections to Title 47 RCW; creating new sections; repealing section 3, chapter 165, Laws of 1947, section 1, chapter 68, Laws of 1967 and RCW 14.04.030; repealing section 4, chapter 165, Laws of 1947, section 1, chapter 289, Laws of 1961, section 2, chapter 68, Laws of 1967 and RCW 14.04.040; repealing section 5, chapter 165, Laws of 1947 and RCW 14.04.050; repealing section 1, chapter 156, Laws of 1965 and RCW 46.01.010; repealing section 2, chapter 156, Laws of 1965 and RCW 46.01.020; repealing section 9, chapter 156, Laws of 1965 and RCW 46.01.090; repealing section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; repealing section 47.01.020, chapter 13, Laws of 1961 and RCW 47.01.020; repealing section 47.01.030, chapter 13, Laws of 1961, section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030; repealing section 47.01.040, chapter 13, Laws of 1961, section 31, chapter 170, Laws of 1965 ex. sess. and RCW 47.01.040; repealing section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050; repealing section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060; repealing section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080; repealing section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090; repealing section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100; repealing section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120; repealing section 47.01.130, chapter 13, Laws of 1961, section 10, chapter 307, Laws of 1961 and RCW 47.01.130; repealing section 1, chapter 29, Laws of 1974 ex. sess. and RCW 47.01.160; repealing section 10, chapter 278, Laws of 1961, section 30, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.034; repealing section 2, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.020; repealing section 3, chapter 123, Laws of 1965 ex. sess., section 1, chapter 36, Laws of 1967 and RCW 91.12.030; repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; making an appropriation; declaring an emergency; and providing effective dates."

Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Ceccarelli, Chandler, Charnley, Clemente, Conner, Douthwaite, Dunlap, Gaines, Gallagher, Gilleland, Hansen, Kalich, Leckenby, Lee, Martinis, Patterson, Seeburger, Sherman, Wilson.

To Committee on Rules for second reading.

May 23, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2574, Original Prime Sponsor: Senator Peterson, authorizing buy-back of fishing vessels, gear and permits. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 21 after "industry is" strike "of paramount importance" and insert "important"

Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman - Appropriations; Amen, Bausch, Blair, Boldt, Charette, Chatalas, Curtis, Ehlers, Erickson, Freeman, Gaspard, Hansey, Kilbury, Matthews, McKibbin, Nelson, North, Polk, Smith (Rick), Sommers, Thompson, Valle, Warnke, Williams.

To Committee on Rules for second reading.

May 23, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2937, Original Prime Sponsor: Senator Walgren, relating to transportation taxation. Reported by Committee on Transportation and Utilities.

**MAJORITY recommendation: Do pass with the following amendment:**

On page 5, line 31 of the engrossed bill, being the Senate amendment to page 5, line 31 of the printed bill, after "purposes" strike all of the material down to and including "tax" on line 35 of the engrossed bill (being all of the Senate amendment) and insert ": PROVIDED FURTHER, That the total amount remitted by the state treasurer in any biennium to all municipalities levying the excise tax authorized under RCW 35.58.273 shall not exceed twenty-one and eight-tenths percent of the total motor vehicle excise tax levied by the state under RCW 82.44.020 as now or hereafter amended"

Signed by Representatives Perry, Chairman; Barnes, Bender, Berentson, Ceccarelli, Chandler, Charnley, Clemente, Conner, Douthwaite, Dunlap, Gallagher, Gilleland, Hansen, Kalich, Laughlin, Lee, Lysen, Martinis, Patterson, Seeberger, Sherman, Wilson.

To Committee on Rules for second reading.

**SECOND READING**

**ENGROSSED SENATE BILL NO. 2070**, by Senators Francis, von Reichbauer and Ridder (by Department of Labor and Industries request):

Revising regulations and payments to victims of crimes.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, Fiftieth Day ex. sess., May 2, 1975.)

Mr. Knowles moved adoption of the committee amendment, and spoke in favor of it.

**MOTION**

On motion of Mr. Charette, further action on Engrossed Senate Bill No. 2070 was deferred, and the bill was ordered placed on the calendar following Engrossed Substitute Senate Bill No. 2833.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2092**, by Committee on Judiciary (Originally sponsored by Senators Francis, Woody and Jones):

Enacting a new criminal code for crime against persons.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Fiftieth Day ex. sess., May 2, 1975.)

Mr. Smith (Rick) moved adoption of the committee amendment to the body of the bill.

Mr. Eikenberry moved adoption of the following amendment by Representatives Eikenberry, Kilbury, Tilly and Hurley (Margaret) to the committee amendment:

On page 20, following section 9A.32.040, insert new sections as follows:

**"NEW SECTION.** Section 92.32.050. **AGGRAVATED MURDER IN THE FIRST DEGREE — PENALTY.**

(1) A person is guilty of aggravated murder in the first degree when he commits murder in the first degree as defined in sec. 9A.32.030 under or accompanied by any of the following circumstances:

(a) The victim was a law enforcement officer or fireman, was performing his official duties at the time of the killing, and was known to be such by the defendant at the time of the killing.

(b) At the time of the act resulting in the death, the defendant was serving a term of imprisonment in a state correctional institution.

(c) The defendant committed the murder pursuant to an agreement that he receive money or other thing of value for committing the murder.

(d) The defendant had solicited another to commit the murder and had paid or agreed to pay such person money or other thing of value for committing the murder.

(e) The defendant committed the murder with intent to conceal the commission of a crime, or to protect or conceal the identity of any person committing the same, or with intent to delay, hinder or obstruct the administration of justice by preventing any person from being a witness or producing evidence in any investigation or proceeding authorized by law or by influencing any person's official action as a juror.

(f) There was more than one victim and the said murders were part of a common scheme or plan, or the result of a single act of the defendant.

(2) A person found guilty of aggravated murder in the first degree shall be punished by imprisonment in the state penitentiary for life without any possibility of parole, except as provided in subsection (3) of this section. A sentence of life imprisonment without possibility of parole under this section shall not be suspended, deferred or commuted by any judicial officer. A person sentenced to life imprisonment without possibility of parole under this section shall never be eligible for parole or temporary or permanent release from confinement as the result of any good time calculation or as part of any work release or furlough



program, or for any other reason except the issuance of a pardon or commutation of sentence to such person by the governor.

(3) Every person found guilty of aggravated murder in the first degree who, prior to the time of the act for which he was so found guilty, has previously been found guilty of aggravated murder in the first degree, shall be punished by the mandatory sentence of death. Neither the court nor the jury shall have any discretion to suspend or defer the imposition of the sentence of death or to impose any other sentence. The death sentence shall be executed at the state penitentiary under the direction of and pursuant to arrangements made by the superintendent thereof.

**NEW SECTION. Sec. 9A.32.060. AGGRAVATED MURDER IN THE FIRST DEGREE — LIFE IMPRISONMENT.**

In the event that the death penalty is held to be unconstitutional by the United States supreme court or the supreme court of the state of Washington in any of the circumstances specified in sec. 9A.32.050 of this act, the penalty for aggravated murder in the first degree in those circumstances shall be imprisonment in the state penitentiary for life. A person sentenced to life imprisonment under this section shall not have that sentence suspended, deferred, or commuted by any judicial officer, and the board of prison terms and paroles shall never reduce the period of confinement nor release the convicted person as a result of any automatic good time calculation nor shall the department of social and health services permit the convicted person to participate in any work release or furlough program.

**NEW SECTION. Sec. 9A.32.070.** Sections 9A.32.050 and 9A.32.060 of this act shall not become effective if a majority of the qualified electors voting on sections 9A.32.080 through 9A.32.110 of this act, as provided by section 9A.32.120 of this act, adopt and ratify sections 9A.32.080 through 9A.32.110.

**NEW SECTION. Sec. 9A.32.080. AGGRAVATED MURDER IN THE FIRST DEGREE.**

A person is guilty of aggravated murder in the first degree when he commits murder in the first degree as defined in sec. 9A.32.030 under or accompanied by any of the following circumstances:

(1) The victim was a law enforcement officer or fireman, was performing his official duties at the time of the killing, and was known to be such by the defendant at the time of the killing.

(2) At the time of the act resulting in the death, the defendant was serving a term of imprisonment in a state correctional institution.

(3) The defendant committed the murder pursuant to an agreement that he receive money or other thing of value for committing the murder.

(4) The defendant had solicited another to commit the murder and had paid or agreed to pay such person money or other thing of value for committing the murder.

(5) The defendant committed the murder with intent to conceal the commission of a crime, or to protect or conceal the identity of any person committing the same, or with intent to delay, hinder or obstruct the administration of justice by preventing any person from being a witness or producing evidence in any investigation or proceeding authorized by law or by influencing any person's official action as a juror.

(6) There was more than one victim and the said murders were part of a common scheme or plan, or the result of a single act of the defendant.

**NEW SECTION. Sec. 9A.32.090. AGGRAVATED MURDER IN THE FIRST DEGREE — PENALTY.**

A person found guilty of aggravated murder in the first degree as defined in sec. 9A.32.080 of this act, shall be punished by the mandatory sentence of death. Once a person is found guilty of aggravated murder in the first degree, as defined in sec. 9A.32.080 of this act, neither the court nor the jury shall have the discretion to suspend or defer the imposition or execution of the sentence of death. Such sentence shall be automatic upon any conviction of aggravated first degree murder. The death sentence shall take place at the state penitentiary under the direction of and pursuant to arrangements made by the superintendent thereof: PROVIDED, That the time of such execution shall be set by the trial judge at the time of imposing sentence and as a part thereof.

**NEW SECTION. Sec. 9A.32.100. AGGRAVATED MURDER IN THE FIRST DEGREE — LIFE IMPRISONMENT.**

In the event that the governor commutes a death sentence or in the event that the death penalty is held to be unconstitutional by the United States supreme court or the supreme court of the state of Washington in any of the circumstances specified in sec. 9A.32.080 of this act, the penalty for aggravated murder in the first degree in those circumstances shall be imprisonment in the state penitentiary for life. A person sentenced to life imprisonment under this section shall not have that sentence suspended, deferred, or commuted by any judicial officer, and the board of prison terms and paroles shall never parole a prisoner or reduce the period of confinement nor release the convicted person as a result of any automatic good time calculation nor shall the department of social and health services permit the convicted person to participate in any work release or furlough program.

**NEW SECTION. Sec. 9A.32.110.** If any provisions of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 9A.32.120.** Sections 9A.32.050 through 9A.32.070 of this act shall constitute a single ballot measure and shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next succeeding general election to be held in this state, all in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof. Sections 9A.32.050 through 9A.32.070 of this act shall constitute a single ballot measure

separate from sections 9A.32.080 through 9A.32.110 of this act and shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next succeeding general election to be held in this state, all in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof. For all election purposes, sections 9A.32.050 through 9A.32.070, and sections 9A.32.080 through 9A.32.110, of this act, respectively, shall be treated as separate and distinct ballot measures. The attorney general shall prepare separate ballot titles for sections 9A.32.050 through 9A.32.070, and for sections 9A.32.080 through 9A.32.110, of this act, respectively, and the secretary of state shall distinguish between the two ballot measures, respectively, in certifying them to the county auditors for placement on the ballot."

Remember the remaining sections consecutively.

#### POINT OF ORDER

Mr. Parker: "Mr. Speaker, I find that the last section of the proposed amendment requires that this amendment be referred to the people. It would seem to me that we have before us a bill that deals with two separate subjects, in that it is going through the legislative process and you also have here a separate subject in that you are taking this amendment and asking that it be referred to the people."

Mr. Eikenberry: "Mr. Speaker, I would invite the Speaker's attention in ruling on this point of order to the 7th Amendment to the Constitution of the State of Washington, section B, dealing with referendums, which I will paraphrase to read, 'The second power reserved by the people is the referendum and it may be ordered on any act, bill, law or any part thereof passed by the legislature. . . ' and then skipping down to the third line from the bottom, it says, ' . . . or by the legislature as other bills are enacted.' The point of this is that the legislature may refer any portion or section of a bill to a vote of the people."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It would appear that the referendum wouldn't have anything to do with whether or not the amendment is germane to the committee amendment."

Mr. Parker: "I wonder if the amendment might introduce, though, a separate subject into the bill in that the particular section of the Constitution that Representative Eikenberry speaks to has a definite separation in it with regard to rights that are reserved to the people and rights that are reserved to the legislature? The right that is reserved to the legislature is to refer any bill or act to the people and the right that is reserved to the people is by petition or referendum on any section or any bill or act of the legislature. I think thereby you have two separate subjects being introduced under the power of amendment. We have another bill pending before this House dealing with the subject that Representative Eikenberry puts before us, and I think that on that basis the amendment should be ruled out of order."

The Speaker (Mr. O'Brien presiding): "Representative Parker, it is the opinion of the Speaker that the referendum clause in this particular amendment is not beyond the scope and object of the committee amendment or of the bill. According to one of the amendments to our state Constitution, any part of a bill can be passed to the public, to the voters for their approval."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Parker: "You ruled on the first part of my question, but the other part of the question is still not resolved in my mind, so I will pose it in the form of a question. If this act passed is it the Speaker's interpretation that the Governor will receive the entire bill, or only parts of the bill?"

The Speaker (Mr. O'Brien presiding): "It would appear that this wouldn't be a parliamentary question, but apparently, if you follow along with the mechanics, this portion of the act, if it were approved, would go directly to the people and not to the governor."

Mr. Parker: "What you are saying to me, Mr. Speaker, is that under the color of one legislative act we are going to commit two acts. We are going to send one bill to the people and one bill to the Governor, and I would say that constitutes two separate subjects."

The Speaker (Mr. O'Brien presiding): "Representative Parker, if you will review Reed's Rule 161, 'Incompatibility or Inconsistency.' It also states in part, 'So, also, the question of constitutionality, is not for him [the Speaker] to decide. Incompatibility, inconsistency, and unconstitutionality are matters of argument.'"

Mr. Parker: "I realize that, but two separate subjects are the Speaker's prerogative in terms of germaneness."

The Speaker (Mr. O'Brien presiding): "That's a question of two separate subjects. The amendment being germane to the original subject matter, in this instance, it's a question of referendum involved—whether a referendum clause would be a separate subject or not. In the opinion of the Speaker it isn't separate."

Mr. Parker: "If it were on a whole separate bill, I would agree with you, but this is on a portion of a bill."

The Speaker (Mr. O'Brien presiding): "That's up to the House to decide, whether it's incompatible, or inconsistent or unconstitutional."

Representatives Eikenberry, Newhouse and Tilly spoke in favor of the amendment to the committee amendment, and Representatives Smith (Rick) and Seeberger spoke against it.

#### POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Curtis.

Mr. Curtis: "I understand the circumstances under which an individual can be convicted of aggravated murder, but I am a little mixed up on those items which would be submitted to the people. As I understand your amendment, there would be two proposals submitted to the people for their acceptance or rejection, both of which would give them an alternative—capital punishment, life imprisonment. My question is this, as I read your amendment, in the event that the death penalty is held to be unconstitutional by the U.S. Supreme Court or the Supreme Court of the State of Washington, then life imprisonment would be triggered in. Would the option then to the people be capital punishment versus life imprisonment or life imprisonment only in the event of the unconstitutionality of capital punishment?"

Mr. Eikenberry: "Answering as directly as I can to what I understand the question to be, the issue addressed to the people, as specifically directed in this amendment and with the guidance of the records of the elections department here in Olympia, there will be two individual issues. One is the matter of mandatory life, actual life, or a second issue of mandatory capital punishment. As to that second item, if the Supreme Court or some other supreme court should rule it to be unconstitutional, then the result would still be mandatory life."

Representatives Kilbury, Leckenby, Hurley (Margaret) and Schumaker spoke in favor of the amendment to the committee amendment, and Representatives Douthwaite and King spoke against it.

Mr. Polk demanded an electric roll call and the demand was sustained.

Mr. Parker spoke against the amendment, and Mr. Eikenberry closed debate, speaking again in favor.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eikenberry and others to the committee amendment to Engrossed Substitute Senate Bill No. 2092, and the amendment was not adopted by the following vote: Yeas, 43; nays, 48; not voting, 7.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Bender, Berentson, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Gainer, Gaspard, Hurley M., Jastad, Juelling, Kalich, Kilbury, Knowles, Kuehnle, Leckenby, Lee, Lysen, Martinis, Matthews, May, Nelson, Newhouse, O'Brien, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Becker, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gainer, Gaspard, Hanna, Hawkins, Hurley G. S., King, Laughlin, Maxie, McCormick, McKibbin, Moon, North, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman.

Not voting: Representatives Bond, Haussler, Luders, Moreau, Pardini, Peterson, and Mr. Speaker.

The Clerk read the following amendment by Representatives Kuehnle, Kilbury, Laughlin, Polk and Schumaker to the committee amendment:

On page 13, line 33 add a new section to read as follows:

**"NEW SECTION. Sec. 9A.16.060.** No person in the state shall be placed in legal jeopardy of any kind whatsoever for protecting by any means necessary, himself, his family, or his real or personal property, or

for coming to the aid of another who is in imminent danger of or the victim of aggravated assault, armed robbery, holdup, rape, murder, or any other heinous crime.

When a substantial question of self defense in such a case shall exist, which needs legal investigation or court action for the full determination of the facts, and the defendant's actions are subsequently found justified under the intent of this section, the state of Washington shall indemnify or reimburse such defendant for all loss of time, legal fees, or other expenses involved in his defense."

#### POINT OF ORDER

Mr. Smith (Rick): "Mr. Speaker, this amendment is the exact content of House Bill No. 234 which is before this legislature—the so-called self defense bill. Furthermore, I would suggest that it is beyond scope and object."

Mr. Kuehnle: "The amendment is drafted to the new section on page 13, dealing with homicide by other persons, justifiable, therefore it certainly comes within the scope and object. The amendment is essentially the same as House Bill No. 243 of the last session, and House Bill No. 234 of this session, and fits in precisely with the subject matter under consideration and should be incorporated into such criminal code modification. It seems to me, therefore, to be a most appropriate time to consider the thrust of this amendment."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears that the amendment is contained in House Bill No. 234. Rule 33 of our House rules, states, 'No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing or incorporating therein any other bill or resolution pending before the house.' On that basis, I am going to rule the amendment out of order."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment.

Mr. Smith (Rick) spoke in favor of the amendment, and it was adopted.

On motion of Mr. Smith (Rick), the committee amendment to the title was adopted.

Mr. Gaspard moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2092 as amended by the House be placed on final passage.

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Substitute Senate Bill No. 2092 to third reading and final passage, and the motion was carried by the following vote: Yeas, 67; nays, 23; not voting, 8.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Barnes, Chandler, Deccio, Dunlap, Flanagan, Freeman, Gilleland, Haley, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Not voting: Representatives Bond, Haussler, Lee, Luders, Moreau, Pardini, Peterson, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2092 as amended by the House.

Mr. Smith (Rick) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2092 as amended by the House, and the bill passed the House by the following vote: Yeas, 64; nays, 26; not voting, 8.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May,

McCormick, McKibbin, Moon, Nelson, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Barnes, Berentson, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Kuehnle, Leckenby, Lee, Matthews, Newhouse, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bond, Curtis, Haussler, Luders, Moreau, Pardini, Peterson, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2092 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

I intended to vote "No" on Engrossed Substitute Senate Bill No. 2092, but was off the floor when the vote was taken.

ROBERT "BOB" CURTIS, 12th District.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond, Haussler, Luders, Moreau, Pardini, Peterson and Whiteside, who were excused.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 265,  
 HOUSE BILL NO. 314,  
 HOUSE BILL NO. 595,  
 HOUSE BILL NO. 752,  
 SUBSTITUTE HOUSE BILL NO. 932,  
 HOUSE BILL NO. 1031,  
 SUBSTITUTE SENATE BILL NO. 2123,  
 SUBSTITUTE SENATE BILL NO. 2133,  
 SENATE BILL NO. 2169,  
 SENATE BILL NO. 2395,  
 SENATE BILL NO. 2416,  
 SUBSTITUTE SENATE BILL NO. 2519,  
 SUBSTITUTE SENATE BILL NO. 2966.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2341, by Senators Bottiger, Beck and Matson (by Utilities and Transportation Commission request):

Making certain changes in the laws relating to public service companies.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, Sixty-ninth Day ex. sess., May 21, 1975.)

On motion of Mr. Hansen, the committee amendment was not adopted.

Mr. Parker moved adoption of the following amendment:

On page 2, line 3 add a new paragraph to read as follows:

"The fees collected pursuant to this section shall be approximately the same as the reasonable cost to the commission of supervising and regulating such companies, or classes of companies, respectively: PROVIDED, That the utilities and transportation commission and the department of labor and industries shall jointly enter into an interagency agreement or agreements pursuant to chapter 39.34 RCW to divide the responsibility for regulation of railroad safety and health matters with the department assuming jurisdiction of employee occupational safety and health pursuant to chapter 49.17 RCW and the commission retaining

responsibility for general rail safety affecting the public in accordance with Title 81 RCW, and the fees collected from railroad companies pursuant to this section may be divided proportionately in accordance with the scope of the tasks divided under this proviso."

#### POINT OF ORDER

Mr. Matthews: "I would like you to rule on the scope and object of this amendment in light of it being almost exactly the same wording of the committee amendment that was just voted down on the basis of that amendment being outside the scope and object."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The Speaker rules that it is within the scope and object. It pertains to fees, the question of fees and the regulation thereto, the costs involved. The Speaker rules that the amendment is germane to the subject matter of the bill."

Mr. Matthews moved adoption of the following amendment to the Parker amendment:  
On line 5 of the amendment strike "shall" and insert "may"

Mr. Matthews spoke in favor of the amendment to the amendment, and Representatives Parker and Kilbury spoke against it.

The amendment was not adopted.

The Clerk read the following amendment to the Parker amendment by Representative Matthews:

On line 8 of the amendment after "with" strike "the department assuming jurisdiction of employee occupational safety and health pursuant to chapter 49.17 RCW and"

With the consent of the House, Mr. Matthews withdrew the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Parker to Engrossed Senate Bill No. 2341, and the amendment was adopted by the following vote: Yeas, 58; nays, 30; not voting, 10.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeburger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Paris, Patterson, Polk, Schumaker, Tilly, Zimmerman.

Not voting: Representatives Berentson, Bond, Haussler, Jastad, Kalich, Luders, Moreau, Pardini, Peterson, Whiteside.

Mr. Gaspard moved that the rules be suspended, the second reading be considered the third, and Engrossed Senate Bill No. 2341 as amended by the House be placed on final passage.

Mr. Charette spoke in favor of the motion, and Mr. Newhouse spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Senate Bill No. 2341 as amended by the House to third reading and final passage, and the motion failed to receive the constitutional two-thirds majority by the following vote: Yeas, 58; nays, 30; not voting, 10.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Hurley M., Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeburger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Paris, Patterson, Polk, Schumaker, Wilson, Zimmerman.

Not voting: Representatives Berentson, Bond, Conner, Haussler, Jastad, Luders, Moreau, Pardini, Peterson, Whiteside.

Engrossed Senate Bill No. 2341 as amended by the House was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Charette, ENGROSSED SUBSTITUTE SENATE BILL NO. 2463 was made a special order of business for 4:30 p.m.

SENATE BILL NO. 2484, by Senators Sandison and Newschwander:

Allowing an officer or employee to receive accrued vacation when transferring from one state agency to another.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2484 was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2484, and the bill passed the House by the following vote: Yeas, 86; nays, 3; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeburger, Sherman, Shipnuch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Lee, Matthews, Zimmerman.

Not voting: Representatives Berentson, Bond, Hansen, Haussler, Luders, Moreau, Pardini, Peterson, Whiteside.

Senate Bill No. 2484, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2443, by Committee on Ecology (Originally sponsored by Senators Washington and Murray):

Amending shoreline management laws.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments, see Journal, Fiftieth day ex. sess., May 2, 1975.)

On motion of Mr. Zimmerman, the committee amendments were adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2443 as amended by the House was placed on final passage.

Representatives Zimmerman and Charnley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2443 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeburger, Sherman, Shipnuch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Deccio, Haussler, Luders, Moreau, Pardini, Peterson, Whiteside.

Engrossed Substitute Senate Bill No. 2443 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

SENATE BILL NO. 2501, by Senators Rasmussen, Wanamaker and Donohue (by State Auditor request):

Permitting departmental post-audits at reasonable intervals.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-seventh Day ex. sess., May 19, 1975.)

On motion of Ms. Sommers, the first committee amendment was adopted.

#### MOTION

On motion of Mr. Charette, further consideration of Senate Bill No. 2501 was deferred, and the bill was ordered held for Monday's second reading calendar.

ENGROSSED SENATE BILL NO. 2607, by Senators Walgren and Guess (by Department of Highways request):

Revising priorities for state highway improvements.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2607 was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2607, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Duflap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, Luders, Moreau, Pardini, Peterson, Whiteside.

Engrossed Senate Bill No. 2607, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2833, by Committee on Transportation and Utilities (Originally sponsored by Senators Wanamaker, Jolly, Beck and Sellar):

Relating to railroad grade crossing protective devices.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, Sixty-third Day ex. sess., May 15, 1975.)

On motion of Mr. Hansen, the committee amendment was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2833 as amended by the House, was placed on final passage.

Representatives Hansen and Hansey spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2833 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, Luders, Moreau, Pardini, Peterson, Whiteside.

Engrossed Substitute Senate Bill No. 2833 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## ENGROSSED SENATE BILL NO. 2070:

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the committee amendment.

Mr. Knowles spoke in favor of the amendment, and it was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2070 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2070 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Flanagan, Haussler, Juelling, Luders, Moreau, Pardini, Peterson, Whiteside.

Engrossed Senate Bill No. 2070 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## ENGROSSED SENATE BILL NO. 2840, by Senator Francis:

Relating to sentencing.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-seventh Day ex. sess., May 19, 1975.)

Mr. Knowles moved adoption of the committee amendments.

Mrs. Hurley (Margaret) moved adoption of the following amendment to the committee amendments:

On lines 2 and 4 of the committee amendments, strike "three" and insert "five"

Representatives Hurley (Margaret), Knowles and Seeberger spoke in favor of the amendments to the committee amendments, and Representatives Smith (Rick), Hanna and Parker spoke against them.

Mrs. Hurley (Margaret) closed debate, speaking again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hurley (Margaret) to the committee amendments, and the amendment was adopted by the following vote: Yeas, 52; nays, 39; not voting, 7.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Berentson, Ceccarelli, Chandler, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kilbury, Knowles, Kuehnl, Laughlin, Leckenby, Lee, Matthews, May, McCormick, McKibbin, Nelson, Newhouse, O'Brien, Paris, Patterson, Polk, Savage, Schumaker, Seeberger, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Becker, Bender, Blair, Boldt, Brown, Charette, Charnley, Cochrane, Douthwaite, Ehlers, Erickson, Fortson, Gaines, Hanna, Hawkins, Hurley G. S., Kalich, King, Lysen, Martinis, Maxie, Moon, North, Parker, Perry, Randall, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, Luders, Moreau, Pardini, Peterson, Whiteside.

The committee amendments as amended were adopted.

Mr. Deccio moved adoption of the following amendment by Representatives Deccio, Hanna and Perry:

On page 2, line 1 after "confinement" insert ": PROVIDED, That no such convicted person shall be released to participate in any such programs until having voluntarily completed treatment in a sexual psychopath program to be made available by the director of the department of social and health services"

Representatives Deccio and Hanna spoke in favor of the amendment, and Mr. Parker spoke against it.

## POINT OF INQUIRY

Mr. Hanna yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Where would the actual program be offered? In other words, the programs we have heard about mostly are at Steilacoom; are there ones at the other institutions?"

Mr. Hanna: "The majority of the help would be provided right at the prison, within the walls. Those people who are considered low-risk, or were not there for the most serious crimes, could be considered to take part in the moderate security program at Western State Hospital, which is the best treatment that we have, but the great majority would receive help within the prison walls."

Mr. Deccio again spoke in favor of the amendment, and it was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2840 as amended by the House was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2840 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 4; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Nelson, Newhouse, North, O'Brien, Paris, Patterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kuehnl, Parker, Randall, Smith R.

Not voting: Representatives Bond, Haussler, Luders, Moon, Moreau, Pardini, Perry, Peterson, Whiteside.

Engrossed Senate Bill No. 2840 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2032, by Senators von Reichbauer and Gould:

Providing that renewal of school district superintendent's contracts be solely at the discretion of the employer school board.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2032 was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2032, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Haussler, Knowles, Luders, Moreau, Pardini, Peterson, Whiteside.

Engrossed Senate Bill No. 2032, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2126, by Senators Jolly and Benitz:

Permitting public utility districts to pay travel and living expenses of prospective employees.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, following section 1 add new sections as follows:

"Sec. 2. Section 2, chapter 265, Laws of 1959 and RCW 54.40.010 are each amended to read as follows:

A public utility district of the first class is a district which shall have a license from the federal power commission to construct a hydroelectric project of an estimated cost of more than (~~three hundred and twenty-five~~) two hundred and fifty million dollars, including interest during construction, and which shall have received the approval of the voters of the district to become a first class district as provided herein.

Sec. 3. Section 3, chapter 265, Laws of 1959 and RCW 54.40.020 are each amended to read as follows:

Every public utility district which on the effective date of this (~~chapter~~) 1975 amendatory act shall be in existence and have such a license shall be qualified to become a first class district upon approval of the voters of said district.

Sec. 4. Section 4, chapter 265, Laws of 1959 and RCW 54.40.030 are each amended to read as follows:

Within five days after a public utility district shall receive a license from the federal power commission to construct a hydroelectric project of an estimated cost of more than (~~three hundred and twenty-five~~) two hundred and fifty million dollars, including interest during construction, or, in the case of a district which on the effective date of this (~~chapter~~) 1975 amendatory act is in existence and has such a license within five days of the effective date of this act the district shall forward a true copy of said license accompanied by a true copy of the application for such license, both certified by the secretary of the district, to the county auditor of the county wherein said district is located."

#### POINT OF ORDER

Mr. Ehlers: "I ask for a ruling on scope and object of this amendment."

#### SPEAKER'S RULING

The Speaker: "In regard to scope and object, I think your point is well taken, because Senate Bill No. 2126 has regard to employment of people, where this amendment is in regard to capital construction of utilities, so I would say that it is beyond the scope and object."

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2126 was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2126, and the bill passed the House by the following vote: Yeas, 88; nays, 2; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Warnke.

Not voting: Representatives Bond, Haussler, Knowles, Luders, Moreau, Pardini, Peterson, Whiteside.

Engrossed Senate Bill No. 2126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 2654**, by Committee on Ways and Means (Originally sponsored by Senator Benitz - by Superintendent of Public Instruction request):

Enlarging scope of school use for excise tax on real estate sales.

The bill was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2654 was placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2654, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn.

Not voting: Representatives Bond, Haussler, Knowles, Luders, Moreau, Pardini, Peterson, Whiteside, Zimmerman, and Mr. Speaker.

Substitute Senate Bill No. 2654, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2736**, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard and Newschwander):

Making certain corrections and adjustments in the tax laws.

The bill was read the second time.

## MOTION

On motion of Mr. Randall, further action on Engrossed Substitute Senate Bill No. 2736 was deferred, and the bill was ordered held for Monday's second reading calendar.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2737**, by Committee on Local Government (Originally sponsored by Senator Walgren):

Authorizing an alternative method for the ownership, operation, and financing of public systems of sewerage and water.

The bill was read the second time.

On motion of Mr. Hansey, the following amendments by Representatives Hansey, Hanna and Douthwaite were adopted:

On page 8, line 31 add new sections to read as follows:

Sec. 14. Section 3, chapter 18, Laws of 1959 and RCW 57.12.020 are each amended to read as follows: Nominations for the first board of commissioners to be elected at the election for the formation of the water district shall be by petition of at least twenty-five percent of the qualified electors of the district, or twenty-five of the qualified electors of the district, whichever is lesser, filed in the auditor's office of the county in which the district is located, at least thirty days prior to the election. Thereafter, candidates for the office of water commissioners shall file declarations of candidacy and their election shall be conducted as provided by the general election laws. A vacancy on the board shall be filled by appointment by the remaining commissioners until the next regular election for commissioners: PROVIDED, That if there is a vacancy of the entire board a new board may be appointed by the board of county commissioners.

Any person residing in the district who is a qualified voter under the laws of the state may vote at any district election.

NEW SECTION. Sec. 15. There is added to chapter 57.06 RCW a new section to read as follows:

Each and all of the respective areas of land heretofore attempted to be organized into water districts under the provisions of chapter 114, Laws of 1929, and amendments thereto, and hereby validated and declared to be duly existing water districts, having the respective boundaries set forth in their organization proceedings as shown by the files in the office of the board of county commissioners of the county in question and of such water districts.

NEW SECTION. Sec. 16. There is added to chapter 57.06 RCW a new section to read as follows:

All debts, contracts, and obligations heretofore made or incurred by or in favor of any such water district, and all bonds or other obligations executed by such districts in connection with or in pursuance of such attempted organization, and any and all assessments or levies, and all other things and proceedings done or taken by such districts or by their respective officers, including by persons acting as commissioners nominated by petition of at least twenty-five percent of the qualified electors of the district, and elected and qualified as otherwise provided by law, acting under or in pursuance of such attempted organization, are hereby declared legal and valid and of full force and effect.

NEW SECTION. Sec. 17. There is added to chapter 57.06 RCW a new section to read as follows:

The holding and exercise of the office of commissioner by persons now serving as members of the first board of commissioners under or in pursuance of such attempted organization, nominated by petition of at least twenty-five percent of the qualified electors of the district, and elected and qualified as otherwise provided by law, is hereby declared legal and valid and of full force and effect.

NEW SECTION. Sec. 18. Sections 15 through 17 of this 1975 amendatory act shall apply only to such districts attempted to be organized under chapter 114, Laws of 1929, and amendments thereto, which have maintained their organization as such since the date of such attempted organization, establishment, or creation, or which have been merged into another municipal corporation."

Renumber the remaining sections consecutively.

On page 1, line 10 after the semicolon strike "and" and insert "amending section 3, chapter 18, Laws of 1959 and RCW 57.12.020;"

On page 1, line 11 after "RCW" insert "; adding new sections to chapter 57.06 RCW"

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2737 as amended by the House was placed on final passage.

Mr. Parker spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2737 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 3; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Conner, Warnke.

Not voting: Representatives Bond, Deccio, Haussler, Luders, Moreau, Pardini, Peterson, Tilly, Whiteside.

Engrossed Substitute Senate Bill No. 2737 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2861, by Committee on Higher Education:

Exempting certain educational housing from provisions relating to unfair discrimination or as affecting civil rights.

The bill was read the second time.

The Clerk read the following amendment by Representative Newhouse:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 183, Laws of 1949 as last amended by section 1, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.010 are each amended to read as follows:

This chapter shall be known as the "~~((law against discrimination))~~ human rights law". It is an exercise of the police power of the state for the protection of the public welfare, health, and peace of the people of this state, and in fulfillment of the provisions of the Constitution of this state concerning civil rights. The legislature hereby finds and declares that practices of discrimination against any of its inhabitants because of race, creed, color, national origin, sex, marital status, age, or the presence of any sensory, mental, or physical handicap are a matter of state concern, that such discrimination threatens not only the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state. A state agency is herein created with powers with respect to elimination and prevention of discrimination in employment, in credit and insurance transactions, in places of public resort, accommodation, or amusement, and in real property transactions because of race, creed, color, national origin, sex, marital status, age, or the presence of any sensory, mental, or physical handicap; and the ~~((board))~~ commission established hereunder is hereby given general jurisdiction and power for such purposes.

Sec. 2. Section 3, chapter 183, Laws of 1949 as last amended by section 4, chapter 141, Laws of 1973 and RCW 49.60.040 are each amended to read as follows:

As used in this chapter:

"Person" includes one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees, and receivers, or any group of persons; it includes any owner, lessee, proprietor, manager, agent, or employee, whether one or more natural or artificial persons; and further includes any political or civil subdivisions of the state and any agency or instrumentality of the state, or of any political or civil subdivision thereof;

"Commission" means the Washington state human rights commission;

"Employer" includes any person acting in the interest of an employer, directly, or indirectly, who has eight or more persons in his employ, and does not include any religious or sectarian organization, not organized for private profit;

"Employee" does not include any individual employed by his parents, spouse, or child, or in the domestic service of any person;

"Labor organization" includes any organization which exists for the purpose, in whole or in part, of dealing with employers concerning grievances or terms or conditions of employment, or for other mutual aid or protection in connection with employment;

"Employment agency" includes any person undertaking with or without compensation, to recruit, procure, refer, or place employees for an employer;

"Creed" includes religion and other fundamental matters of conscience having a place in a person's life comparable to religion in the life of a religious person. It does not include political persuasion or affiliation;

"Religion" includes all aspects of religious observance and practice, as well as belief;

"Age" means being between the ages of forty and sixty-five, and incorporates all of the limitations and qualifications written into RCW 49.44.090;

"National origin" includes ~~((<sup>(H)</sup>))~~ancestry~~((<sup>(H)</sup>))~~;

"Full enjoyment of" includes the right to purchase any service, commodity, or article of personal property offered or sold on, or by, any establishment to the public, and the admission of any person to accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement, without acts directly or indirectly causing persons of any particular race, creed ~~((or))~~, color, national origin, sex, or sensory, mental or physical handicap, to be treated as not welcome, accepted, desired or solicited;

"Any place of public resort, accommodation, assemblage, or amusement" includes, but is not limited to, any place, licensed or unlicensed, kept for gain, hire, or reward, or where charges are made for admission, service, occupancy, or use of any property or facilities, whether conducted for the entertainment, housing or lodging of transient guests, or for the benefit, use, or accommodation of those seeking health, recreation or rest, or for the burial or other disposition of human remains, or for the sale of goods, merchandise, services, or personal property, or for the rendering of personal services, or for public conveyance or transportation on land, water, or in the air, including the stations and terminals thereof and the garaging of vehicles, or where food or beverages of any kind are sold for consumption on the premises, or where public amusement, entertainment, sports, or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates, or assembles for amusement, recreation or public purposes, or public halls, public elevators and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants, or any public library or educational institution, or schools of special instruction, or nursery schools, or day care centers or children's camps: PROVIDED, That nothing herein contained shall be construed to include

or apply to any institute, bona fide club, or place of accommodation, which is by its nature distinctly private, including fraternal organizations, though where public use is permitted that use shall be covered by this chapter; nor shall anything herein contained apply to any educational facility, columbarium, crematory, mausoleum, or cemetery operated or maintained by a bona fide religious or sectarian institution;

"Real property" includes buildings, structures, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest therein;

"Real estate transaction" includes the sale, exchange, purchase, rental or lease of real property.

"Credit transaction" includes any open or closed end credit transaction, whether in the nature of a loan, retail installment transaction, credit card issue or charge, or otherwise, and whether for personal or for business purposes, in which a service, finance, or interest charge is imposed, or which provides for repayment in scheduled payments, when such credit is extended in the course of the regular course of any trade or commerce, including but not limited to transactions by banks, savings and loan associations or other financial lending institutions of whatever nature, stock brokers, or by a merchant or mercantile establishment which as part of its ordinary business permits or provides that payment for purchases of property or service therefrom may be deferred.

Sec. 3. Section 3, chapter 270, Laws of 1955 and RCW 49.60.060 are each amended to read as follows:

One of the original members of the ((board)) commission shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, but their successors shall be appointed for terms of five years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds.

A member shall be eligible for reappointment.

A vacancy in the ((board)) commission shall be filled within thirty days, the remaining members to exercise all powers of the board.

Any member of the ((board)) commission may be removed by the governor for inefficiency, neglect of duty, misconduct or malfeasance in office, after being given a written statement of the charges and an opportunity to be heard thereon.

Sec. 4. Section 4, chapter 270, Laws of 1955 and RCW 49.60.070 are each amended to read as follows:

Each member of the ((board)) commission while in session or on official business shall receive ((twenty)) thirty-six dollars per day in lieu of subsistence and shall receive reimbursement for ((actual and necessary traveling)) other travel expenses (incurred during such time. Such reimbursement shall be made in the manner provided by law for similar reimbursements for state employees) in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 5. Section 5, chapter 270, Laws of 1955 and RCW 49.60.080 are each amended to read as follows:

The ((board)) commission shall adopt an official seal, which shall be judicially noticed.

Sec. 6. Section 6, chapter 270, Laws of 1955 as amended by section 6, chapter 37, Laws of 1957 and RCW 49.60.090 are each amended to read as follows:

The principal office of the ((board)) commission shall be in the city of Olympia, but it may meet and exercise any or all of its powers at any other place in the state, and may establish such district offices as it deems necessary.

Sec. 7. Section 7, chapter 270, Laws of 1955 and RCW 49.60.100 are each amended to read as follows:

The ((board)) commission, at the close of each calendar year, shall report to the governor, describing in detail the investigations, proceedings, and hearings it has conducted and their outcome, the decisions it has rendered, the recommendations it has issued, and the other work performed by it, and shall make such recommendations for further legislation as may appear desirable. The ((board)) commission shall present its reports to each regular session of the legislature; the ((board's)) commission's reports shall be published and made available upon request.

Sec. 8. Section 5, chapter 183, Laws of 1949 and RCW 49.60.110 are each amended to read as follows:

The ((board)) commission shall formulate policies to effectuate the purposes of this chapter and may make recommendations to agencies and officers of the state or local subdivisions of government in aid of such policies and purposes.

Sec. 9. Section 8, chapter 270, Laws of 1955 as last amended by section 4, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.120 are each amended to read as follows:

The ((board)) commission shall have the functions, powers and duties:

(1) To appoint an executive ((secretary)) director and chief examiner, and such investigators, examiners, clerks, and other employees and agents as it may deem necessary, fix their compensation within the limitations provided by law, and prescribe their duties.

(2) To obtain upon request and utilize the services of all governmental departments and agencies.

(3) To adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this chapter, and the policies and practices of the ((board)) commission in connection therewith.

(4) To receive, investigate, and pass upon complaints alleging unfair practices as defined in this chapter ((because of sex, race, creed, color, national origin, or the presence of any sensory, mental, or physical handicap)).

(5) To issue such publications and such results of investigations and research as in its judgment will tend to promote good will and minimize or eliminate discrimination because of sex, race, creed, color, national origin, marital status, age, or the presence of any sensory, mental, or physical handicap.

(6) To make such technical studies as are appropriate to effectuate the purposes and policies of this chapter and to publish and distribute the reports of such studies.

(7) To cooperate and act jointly or by division of labor with the United States, other states, and political subdivisions of the state of Washington and their respective human rights agencies to carry out the purposes of this human rights law. The commission may perform services for such agencies and be reimbursed therefor.

Sec. 10. Section 9, chapter 270, Laws of 1955 as last amended by section 5, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.130 are each amended to read as follows:

The ((board)) commission has power to create such advisory agencies and conciliation councils, local, regional, or state-wide, as in its judgment will aid in effectuating the purposes of this chapter. The ((board)) commission may empower them to study the problems of discrimination in all or specific fields of human relationships or in specific instances of discrimination because of age, sex, race, creed, color, national origin, marital status, or the presence of any sensory, mental, or physical handicap; to foster through community effort or otherwise good will, cooperation, and conciliation among the groups and elements of the population of the state, and to make recommendations to the ((board)) commission for the development of policies and procedures in general and in specific instances, and for programs of formal and informal education which the board may recommend to the appropriate state agency.

Such advisory agencies and conciliation councils shall be composed of representative citizens, serving without pay, but with reimbursement for ((actual and necessary traveling)) travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, and the ((board)) commission may make provision for technical and clerical assistance to such agencies and councils and for the expenses of such assistance. The ((board)) commission may use organizations specifically experienced in dealing with questions of discrimination.

Sec. 11. Section 10, chapter 270, Laws of 1955 and RCW 49.60.140 are each amended to read as follows:

The ((board)) commission has power to hold hearings, subpoena witnesses, compel their attendance, administer oaths, take the testimony of any person under oath, and in connection therewith, to require the production for examination of any books or papers relating to any matter under investigation or in question before the ((board)) commission. The ((board)) commission may make rules as to the issuance of subpoenas by individual members, as to service of complaints, decisions, orders, recommendations and other process or papers of the ((board)) commission, its member, agent, or agency, either personally or by registered or certified mail, return receipt requested, or by leaving a copy thereof at the principal office or place of business of the person required to be served. The return post office receipt, when service is by registered or certified mail, shall be proof of service of the same.

Sec. 12. Section 11, chapter 270, Laws of 1955 and RCW 49.60.150 are each amended to read as follows:

No person shall be excused from attending and testifying or from producing records, correspondence, documents or other evidence in obedience to the subpoena of the ((board)) commission or of any individual member, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The immunity herein provided shall extend only to natural persons so compelled to testify.

Sec. 13. Section 12, chapter 270, Laws of 1955 and RCW 49.60.160 are each amended to read as follows:

In case of contumacy or refusal to obey a subpoena issued to any person, the superior court of any county within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the ((board)) commission shall have jurisdiction to issue to such person an order requiring such person to appear before the ((board)) commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question. Any failure to obey such order of the court may be punished by the court as a contempt thereof.

Sec. 14. Section 13, chapter 270, Laws of 1955 and RCW 49.60.170 are each amended to read as follows:

Witnesses before the ((board)) commission, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of this state. Witnesses whose depositions are taken and the person taking the same shall be entitled to same fees as are paid for like services in the courts of the state.

Sec. 15. Section 11, chapter 37, Laws of 1957 as last amended by section 9, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.200 are each amended to read as follows:

It is an unfair practice for any employment agency to fail or refuse to classify properly or refer for employment, or otherwise to discriminate against, an individual because of age, sex, marital status, race, creed, color, national origin, or the presence of any sensory, mental, or physical handicap, or to print or circulate, or cause to be printed or circulated any statement, advertisement, or publication, or to use any form of application for employment, or to make any inquiry in connection with prospective employment, which expresses any limitation, specification or discrimination as to age, sex, marital status, race, creed, color, or national origin, or the presence of any sensory, mental, or physical handicap, or any intent to make any such limitation, specification, or discrimination, unless based upon a bona fide occupational qualification: PROVIDED, Nothing contained herein shall prohibit advertising in a foreign language.



Sec. 16. Section 12, chapter 37, Laws of 1957 and RCW 49.60.210 are each amended to read as follows:

It is an unfair practice for any employer, employment agency, ((or)) labor union, or other person to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this chapter, or because he has filed a charge, testified, or assisted in any proceeding under this chapter.

Sec. 17. Section 4, chapter 167, Laws of 1969 ex. sess. as amended by section 13, chapter 141, Laws of 1973 and RCW 49.60.222 are each amended to read as follows:

It is an unfair practice for any person, whether acting for himself or another, because of sex, marital status, race, creed, color or national origin:

- (1) To refuse to engage in a real estate transaction with a person;
- (2) To discriminate against a person in the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith;
- (3) To refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person;
- (4) To refuse to negotiate for a real estate transaction with a person;
- (5) To represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or to fail to bring a property listing to his attention, or to refuse to permit him to inspect real property;
- (6) To print, circulate, post or mail or cause to be so published a statement, advertisement or sign, or to use a form of application for a real estate transaction, or to make a record or inquiry in connection with a prospective real estate transaction, which indicates, directly or indirectly, an intent to make a limitation, specification, or discrimination with respect thereto;
- (7) To offer, solicit, accept, use or retain a listing of real property with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection therewith;
- (8) To expel a person from occupancy of real property; ((or))
- (9) To discriminate in the course of negotiating, executing (of [or]) or financing a real estate transaction whether by mortgage, deed of trust, contract or other instrument imposing a lien or other security in real property or in negotiating or executing any item or service related thereto including issuance of title insurance, mortgage insurance, loan guarantee, or other aspect of the transaction((~~Nothing in this section shall limit the effect of RCW 49.60.176 relating to unfair practices in credit transactions.~~));
- (10) To attempt to do any of the unfair practices defined in this section.

Nothing in this section shall limit the effect of RCW 49.60.176 relating to unfair practices in credit transactions.

Nothing in this section shall prohibit the owner-lessee of no more than one single family dwelling unit or of a dormitory or boarding house from discriminating as to occupancy therein on the basis of sex or marital status.

In addition to the foregoing exceptions, nothing in this section shall prohibit the owner-lessee of two or more dwelling units from limiting any rental or lease occupancy or unit to one married couple or to one individual or two or more individuals of the same sex only: PROVIDED, That such limitation is the consistent written policy of the landlord as to the premises involved.

Sec. 18. Section 7, chapter 167, Laws of 1969 ex. sess. as amended by section 14, chapter 141, Laws of 1973 and RCW 49.60.225 are each amended to read as follows:

When a determination has been made under RCW 49.60.250 that an unfair practice involving real property has been committed, the ((board or its successor)) commission may, in addition to other relief authorized by RCW 49.60.250, award the complainant up to one thousand dollars for loss of the right secured by RCW 49.60.010, 49.60.030, 49.60.040 and 49.60.222 through 49.60.226 as now or hereafter amended to be free from discrimination in real property transactions because of sex, marital status, race, creed, color or national origin. Enforcement of the order and appeal therefrom by the complainant or respondent shall be made as provided in RCW 49.60.260 and 49.60.270.

Sec. 19. Section 8, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.226 are each amended to read as follows:

The ((board against discrimination or its successor)) commission and units of local government administering ordinances with provisions similar to the real estate provisions of the human rights law ((against discrimination)) are authorized and directed to enter into cooperative agreements or arrangements for receiving and processing complaints so that duplication of functions shall be minimized and multiple hearings avoided. No complainant may secure relief from more than one instrumentality of state, or local government, nor shall any relief be granted by any state or local instrumentality if relief has been granted or proceedings are continuing in any federal agency, court, or instrumentality, unless such proceedings have been deferred pending state action.

Sec. 20. Section 15, chapter 270, Laws of 1955 as amended by section 16, chapter 37, Laws of 1957 and RCW 49.60.230 are each amended to read as follows:

Who may file a complaint:

(1) Any person claiming to be aggrieved by an alleged unfair practice may, by himself or his attorney, make, sign, and file with the ((board)) commission a complaint in writing under oath. The complaint shall state the name and address of the person alleged to have committed the unfair practice and the particulars thereof, and contain such other information as may be required by the ((board)) commission.

(2) Whenever it has reason to believe that any person has been engaged or is engaging in an unfair practice, the ((board)) commission may issue a complaint.

(3) Any employer or principal whose employees, or agents, or any of them, refuse or threaten to refuse to comply with the provisions of this chapter may file with the ((board)) commission a written complaint under oath asking for assistance by conciliation or other remedial action.

Any complaint filed pursuant to this section must be so filed within six months after the alleged act of discrimination.

Sec. 21. Section 16, chapter 270, Laws of 1955 as amended by section 17, chapter 37, Laws of 1957 and RCW 49.60.240 are each amended to read as follows:

After the filing of any complaint, the chairman of the ((board)) commission shall refer it to the appropriate section of the ((board's)) commission's staff for prompt investigation and ascertainment of the facts. The investigating section shall promptly furnish the party complained against, hereinafter referred to as the respondent, with a copy of the complaint. The results of the investigation shall be reduced to written findings of fact, and ((a)) findings shall be made (a) that the allegations of the complaint, if true, constitute or do not constitute an unfair practice, and (b) that the facts do or do not reasonably tend to establish the truth of the complaint, and, if each of these findings is in the affirmative, then (c) that there is or that there is not reasonable cause for believing that an unfair practice has been or is being committed. A copy of said findings shall be furnished to the complainant and to the ((person named in such complaint, hereinafter referred to as the)) respondent.

If it is found that the allegations of the complaint do not constitute an unfair practice, or that the facts do not reasonably tend to establish the truth of the allegations, such finding or findings shall thereupon be certified to the chairman of the commission, and the chairman shall issue and file an order dismissing the complaint.

If ((the)) a finding is made that there is reasonable cause for believing that an unfair practice has been or is being committed, the ((board's)) commission's staff shall immediately endeavor to eliminate the unfair practice by conference, conciliation and persuasion.

If an agreement is reached for the elimination of such unfair practice as a result of such conference, conciliation and persuasion, the agreement shall be reduced to writing and signed by the respondent, and an order shall be entered by the ((board)) commission setting forth the terms of said agreement. No order shall be entered by the ((board)) commission at this stage of the proceedings except upon such written agreement.

If no such agreement can be reached, a finding to that effect shall be made and reduced to writing, with a copy thereof furnished to the complainant and the respondent.

Sec. 22. Section 17, chapter 270, Laws of 1955 as amended by section 18, chapter 37, Laws of 1957 and RCW 49.60.250 are each amended to read as follows:

In case of failure to reach an agreement for the elimination of such unfair practice, and upon the entry of findings to that effect, the entire file, including the complaint and any and all findings made, shall be certified to the chairman of the ((board)) commission. The chairman of the ((board)) commission shall thereupon appoint a hearing tribunal (of three persons, who shall be members of the board or a panel of hearing examiners) as provided in this section, acting in the name of the ((board)) commission, to hear the complaint and shall cause to be issued and served in the name of the ((board)) commission a written notice, together with a copy of the complaint, as the same may have been amended, requiring the respondent to answer the charges of the complaint at a hearing before such tribunal, at a time and place to be specified in such notice, and identifying the appointee to the hearing tribunal. The hearing tribunal shall be composed of a person who is not regularly employed by the commission and who meets qualifications established pursuant to chapter 41.06 RCW for classification as a hearing examiner: PROVIDED, That no person appointed to a hearing tribunal shall serve thereon if, at least ten days before the date set for hearing, the complainant or respondent has filed with the commission an affidavit of prejudice regarding that appointee: PROVIDED FURTHER, That such party to the hearing may file no more than one such affidavit.

The place of any such hearing may be the office of the ((board)) commission or another place designated by it. The case in support of the complaint shall be presented at the hearing by counsel for the ((board)) commission: PROVIDED, That the complainant may retain independent counsel and submit testimony and be fully heard. No member or employee of the ((board)) commission who previously made the investigation or caused the notice to be issued shall participate in the hearing except as a witness, nor shall he participate in the deliberations of the tribunal in such case. Any endeavors or negotiations for conciliation shall not be received in evidence.

The respondent may file a written answer to the complaint and appear at the hearing in person or otherwise, with or without counsel, and submit testimony and be fully heard.

The tribunal conducting any hearing may permit reasonable amendment to any complaint or answer. Testimony taken at the hearing shall be under oath and recorded.

If, upon all the evidence, the tribunal finds that the respondent has engaged in any unfair practice it shall state its findings of fact and shall issue and file with the ((board)) commission and cause to be served on such respondent an order requiring such respondent to cease and desist from such unfair practice and to take such affirmative action, including, (but not limited to) hiring, reinstatement or upgrading of employees, with or without back pay, an admission or restoration to full membership rights in any respondent organization, or to take such other action as, in the judgment of the tribunal, will effectuate the purposes of this chapter, and including a requirement for report of the matter on compliance.

If, upon all the evidence, the tribunal finds that the respondent has not engaged in any alleged unfair practice, it shall state its findings of fact and shall similarly issue and file an order dismissing the complaint.

The ((board)) commission shall establish rules of practice to govern, expedite and effectuate the foregoing procedure.

Sec. 23. Section 19, chapter 37, Laws of 1957 and RCW 49.60.255 are each amended to read as follows:

If the complainant is dissatisfied with the agreement reached as provided in RCW 49.60.240, or ~~((if the finding is made as provided for in this chapter, that there is no reasonable cause for believing that an unfair practice has been or is being committed))~~ if either party is dissatisfied with an order issued and filed pursuant to RCW 49.60.240 or RCW 49.60.250, the complainant or party may within thirty days of approval by the ((board)) commission of such agreement or from receipt of a copy of said ((finding)) order file a petition for reconsideration by the ((board)) commission and he shall have the right to appear before the ((board)) commission at its ((next)) regular meeting which next occurs more than twenty days after the petition was filed in person or by counsel and present such facts, evidence and affidavits of witnesses as may support or contravene the complaint.

The commission may thereupon modify the agreement or order, or rescind the same and dismiss the complaint or direct further proceedings as it deems appropriate. An order shall be deemed final as originally issued and filed if no petition for reconsideration is filed, or if it is not modified or rescinded or further proceedings are not directed by the commission within thirty days after the meeting upon the petition. If, subsequent to such petition and meeting, an order of dismissal, modified order, or order after further proceedings is entered, such order shall be deemed final when issued and filed.

The ((board)) commission shall establish rules of practice to govern, expedite, and effectuate the foregoing procedure.

Sec. 24. Section 21, chapter 37, Laws of 1957 as amended by section 118, chapter 81, Laws of 1971 and RCW 49.60.260 are each amended to read as follows:

(1) The ((board)) commission shall petition the court within the county wherein any unfair practice occurred or wherein any person charged with an unfair practice resides or transacts business, for the enforcement of any order which is not complied with and is issued by a tribunal under the provisions of this chapter and for appropriate temporary relief or a restraining order, and shall certify and file in court a transcript of the entire record of the proceedings, including the pleadings and testimony upon which such order was made and the finding and orders of the hearing tribunal. Within five days after filing such petition in court the ((board)) commission shall cause a notice of the petition to be sent by registered or certified mail to all parties or their representatives.

The court shall have jurisdiction of the proceedings and of the questions determined thereon, and shall have the power to issue such orders and grant such relief by injunction or otherwise, including temporary relief, as it deems just and suitable and to make and enter, upon the pleadings, testimony and proceedings set forth in such transcript, a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part any order of the ((board)) commission or hearing tribunal.

(2) The findings of the hearing tribunal as to the facts, if supported by substantial and competent evidence shall be ((conclusive)) presumed correct. The court, upon its own motion or upon motion of either of the parties to the proceeding, ((may)) shall permit each party to introduce such additional evidence as the court may believe necessary to a proper decision of the cause.

(3) The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to a review by the supreme court or the court of appeals, on appeal, by either party, irrespective of the nature of the decree or judgment. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the supreme court or the court of appeals, and the record so certified shall contain all that was before the lower court.

Sec. 25. Section 22, chapter 37, Laws of 1957 and RCW 49.60.270 are each amended to read as follows:

Any respondent or complainant aggrieved by a final order ~~((of a hearing tribunal))~~ may obtain a review of such order in the superior court for the county where the unfair practice is alleged to have occurred or in the county wherein such person resides or transacts business by filing with the clerk of the court, within two weeks from the date of receipt of such order, a written petition in duplicate praying that such order be modified or set aside. The clerk shall thereupon mail the duplicate copy to the ((board)) commission. The ((board)) commission shall then cause to be filed in the court a certified transcript of the entire record in the proceedings, including the pleadings, testimony and order. Upon such filing the court shall proceed in the same manner as in the case of a petition by the ((board)) commission and shall have the same exclusive jurisdiction to grant to any party such temporary relief or restraining order as it deems just and suitable, and in like manner to make and enter a decree enforcing or modifying and enforcing as so modified or setting aside, in whole or in part, the order sought to be reviewed.

Unless otherwise directed by the court, commencement of review proceedings under this section shall operate as a stay of any order.

Sec. 26. Section 10, chapter 183, Laws of 1949 as last amended by section 4, chapter 100, Laws of 1961 and RCW 49.60.310 are each amended to read as follows:

Any person that wilfully resists, prevents, impedes, or interferes with the ((board)) commission or any of its members or representatives in the performance of duty under this chapter, or that wilfully violates an order of the ((board)) commission, is guilty of a misdemeanor; but procedure for the review of the order shall not be deemed to be such wilful conduct.

Sec. 27. Section 43.01.100, chapter 8, Laws of 1965 and RCW 43.01.100 are each amended to read as follows:

The inclusion of any question relative to an applicant's race or religion in any application blank or form for employment or license required to be filled in and submitted by an applicant to any department, board, commission, officer, agent, or employee of this state or the disclosure on any license of the race or religion of the licensee is hereby prohibited: PROVIDED, That nothing herein shall prohibit ascertaining and recording the race or religion of applicants for employment or of applicants for use of the services of the employment security department, when the ascertaining or recording is not an unfair practice under the human rights law, chapter 49.60 RCW.

NEW SECTION. Sec. 28. The following acts or parts of acts are each repealed:

(1) Section 24, chapter 37, Laws of 1957 and RCW 49.60.290; and

(2) Section 11, chapter 183, Laws of 1949 and RCW 49.60.320."

Mr. Newhouse moved that the rules be suspended to allow consideration of the amendment.

Mr. Newhouse spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Are you completely striking out the original Senate Bill No. 2861?"

Mr. Newhouse: "No, that provision is still in the bill on page 11 and will still satisfy the needs, not only of the educational institutions as far as dormitories are concerned, but also for the YWCA."

Mr. Douthwaite: "You say then that the language on page 11 would allow public educational institutions to discriminate on the basis of marital status or such with reference to housing within the dormitories on campuses?"

Mr. Newhouse: "Yes."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Thompson: "Is my understanding correct, Mr. Speaker, that the motion before us is to suspend the rules for the purpose of consideration of this amendment and that if the House acts favorably on that motion, the amendment would then be before us and be available for further amendment, whether considered today or at a later day?"

The Speaker: "Yes, that would be the Speaker's understanding."

Ms. Sommers spoke against the motion.

#### POINT OF ORDER

Mr. King: "Joint Rule 20 provides that no amendment to a bill shall be considered which strikes the entire subject matter of a bill and substitutes in lieu thereof an entirely new subject matter not germane to the original or engrossed bill. My point is that by action here today we cannot suspend a joint rule. If we wanted to suspend a joint rule it would take a concurrent resolution, proper notice and motions back and forth, and so my point is that the rule that needs to be suspended, we can't suspend."

#### POINT OF ORDER

Mr. Polk: "Citing Reed's Rule 112, 'Time for Making These Objections,' and I submit the time for making such an objection is past."

#### SPEAKER'S RULING

The Speaker: "I think your point is fairly well taken, Representative Polk, but also in regard to the subject matter of the point of order brought up by Representative King, it says that no amendment to a bill shall be considered which strikes the entire subject matter of a bill. Although it might be striking it, it is incorporated within the new amendment, so I think you would have to have two provisions on that. First you would have to strike all of the subject matter and then in lieu thereof put in a matter that is not germane. Secondly, if that was not true, then the other provisions in both the House and Senate rules, in which the House may refer an amendment that is beyond the scope and object of the original bill back to committee, would have no meaning if we didn't consider the two to be workable, so I'm afraid I would have to say that I think it would have to be both provisions before the joint rule would be operative."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Smith (Rick): "I didn't understand your ruling on Representative King's point of order."

The Speaker: "Well, I said I could slide out from beneath it because of Representative Polk's point of order. The joint rule says that if you strike a bill in its entirety and then insert a completely new subject matter that it's against the joint rules. So I ruled that it would take both of those things to happen. First you'd have to strike the bill in its entirety and put a completely separate bill on the matter. Here, it's true, we did strike, but it was made a part of the striking amendment. We do that consistently within this House. The other matter was added on which would probably be beyond the scope and object, but then I think that would be up to each house to handle individually on that type of measure. Otherwise we have rules in both the House and the Senate that says that if a bill comes back amended by the other house and is beyond the scope and object that the bill can be referred back to committee. This ruling would make those two rules congenial and would be workable."

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules to allow consideration of the amendment by Representative Newhouse to Senate Bill No. 2861, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 51; nays, 37; not voting, 10.

Voting yea: Representatives Adams, Amen, Barnes, Berentson, Ceccarelli, Chandler, Charette, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kilbury, Knowles, Kuehnle, Leckenby, Lee, Martinis, Matthews, May, McCormick, Nelson, Newhouse, North, Paris, Parker, Patterson, Perry, Polk, Schumaker, Thompson, Tilly, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Charnley, Chatalas, Clemente, Cochrane, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Hanna, Hawkin, Hurley G. S., Kalich, King, Laughlin, Maxie, McKibbin, O'Brien, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams.

Not voting: Representatives Bond, Conner, Haussler, Luders, Lysen, Moon, Moreau, Pardini, Peterson, Whiteside.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Senate Bill No. 2861 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Newhouse.

Mr. Newhouse: "Would you read this bill as being rather narrowly drawn so that it would not allow the YWCA and YMCA to so discriminate as it does allow the educational institutions?"

Mr. Knowles: "I would read the bill to say that they are not included; however, talking with the Human Rights Commission, I think they have unalterably taken a position against what they did before as far as the YWCA or YMCA is concerned. They don't intend to get into that again."

Mr. Newhouse: "As I recall they had a ruling at one time which forced the YWCA to pay a fine to an individual who made a complaint—a gentleman who wanted to live in the YWCA. You mean they are going to change their policies now?"

Mr. Knowles: "That's my understanding, Representative Newhouse."

## ROLL CALL

The Clerk called the roll on final passage of Senate Bill No. 2861, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger.

Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Bond, Haussler, Luders, Moreau, Pardini, Peterson, Whiteside.

Senate Bill No. 2861, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2862, by Senator Sellar:

Deleting local government employees from law setting holidays for state employees.

The bill was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 1, line 9 of the printed bill after the semicolon strike down to and including the semicolon on line 10, and insert "~~((the twelfth day of February, being the anniversary of the birth of Abraham Lincoln;))~~"

Mr. Polk spoke in favor of the amendment, and Mr. Laughlin spoke against it.

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to Engrossed Senate Bill No. 2862, and the amendment was not adopted by the following vote: Yeas, 26; nays, 61; not voting, 11.

Voting yea: Representatives Amen, Barnes, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Haley, Hansey, Hayner, Juelling, Leckenby, Lee, Matthews, May, Nelson, Newhouse, Patterson, Polk, Schumaker, Smith R., Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Laughlin, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Berentson, Bond, Haussler, Knowles, Kuehne, Luders, Moreau, Pardini, Peterson, Whiteside, Zimmerman.

Mr. Charnley moved adoption of the following amendment:

On line 7 of the Senate amendment after "that for" insert "common school districts, community college districts, institutions of higher education,"

### POINT OF ORDER

Mr. Laughlin: "Mr. Speaker, I request a ruling on scope and object of this amendment."

### SPEAKER'S RULING

The Speaker: "Representative Laughlin, I feel that the matter is within the scope and object. We are talking about public employees who are subject to the holiday restrictions; we are taking some out and these are a portion of the people who would be considered as being either left in or left out of the holiday situation. I would think that it is within the scope and object, although it is a different group. They are still within the overall group we are considering and it would affect them."

### POINT OF ORDER

Mr. Tilly: "The amendment by Mr. Charnley refers to the common school districts, and I think that is covered under another statute, RCW 28A, and I still think that shouldn't be in this amendment."

### SPEAKER'S RULING

The Speaker: "The body can take into consideration the legality of a situation where they are arguing, but I think that's part of the argument and if you wish to put an amendment to this amendment to strike that, that would be perfectly in order, but I think this is a matter that should be brought to the attention of the body during argument or presented as an amendment to the amendment rather than for the Chair to rule on the legality of whether it should be here or someplace else."

With the consent of the House, Mr. Charnley withdrew the amendment.

Mr. Blair moved adoption of the following amendment:

On page 1, line 12 after "the" strike "thirtieth day" and insert "~~((thirtieth day))~~ last Monday"

Mr. Blair spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Blair yielded to question by Ms. Cochrane.

Ms. Cochrane: "Which date is the federal date, and which date did we enact several years ago?"

Mr. Blair: "The federal holiday is observed on the last Monday in May, which is the coming Monday of next week, when school children and everybody in private employment and all federal governmental employees will have the day off. The only people who will not have that day off are state employees and legislators. They will have the 30th of May, which is, of course, the traditional date for the observance. I am suggesting that we go into conformance again with the federal statute which was in force in this state for several years and seemed to be acceptable to everyone; we didn't get many complaints except from the veterans. I am not trying to change Veterans' Day back to the date of federal observance; I'm just trying to change Memorial Day in this case, which seems to be the one which most people prefer to have as a three-day holiday."

Representatives Haley, Curtis and Leckenby spoke in favor of the amendment, and Mr. Zimmerman spoke against it.

The amendment was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2862 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2862 as amended by the House, and the bill passed the House by the following vote: Yeas, 59; nays, 28; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Curtis, Douthwaite, Dunlap, Eng, Fischer, Flanagan, Freeman, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley G. S., Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Martinis, Matthews, McKibbin, Moon, Nelson, O'Brien, Patterson, Perry, Polk, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, and Mr. Speaker.

Voting nay: Representatives Bender, Chatalas, Clemente, Cochrane, Conner, Deccio, Ehlers, Eikenberry, Erickson, Fortson, Gaines, Gallagher, Gaspard, Hawkins, Hurley M., Lysen, May, McCormick, Newhouse, North, Paris, Parker, Schumaker, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bond, Haussler, Jastad, Kuehnle, Luders, Maxie, Moreau, Pardini, Peterson, Smith R., Whiteside.

Engrossed Senate Bill No. 2862 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SPECIAL ORDER OF BUSINESS

The hour of 4:00 p.m. having arrived, the Speaker declared the question before the House to be the special order of business, Engrossed Substitute Senate Bill No. 2463 on second reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2463, by Committee on Higher Education (Originally sponsored by Senators Sandison, Newschwander, Stortini, Odegaard, Guess and Donohue):

Relating to vocational education.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-fourth Day ex. sess., May 16, 1975.)

Mr. Bauer moved adoption of the committee amendment to the body of the bill.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn, Perry, Adams and Gallagher to the committee amendment:

On page 3, line 8 of the amendment strike all of section 3 and insert:

"NEW SECTION. Sec. 3. There is hereby established a commission for vocational education comprised of eight members, each of whom shall be a voting member. Six citizen members shall be appointed by the governor and confirmed by the state senate. The superintendent of public instruction and the director of the state board for community college education shall serve as the remaining two members. The superintendent of public instruction shall also serve as the chairman of the commission. In making the citizen member appointments initially, and subsequently thereafter, the governor shall appoint persons representative of management, labor, and agriculture.

The initial citizen appointments shall be for periods of one, two, three, four, five and six years. Thereafter such citizen members shall serve for terms of six years. No citizen member shall be eligible to serve who is also a member of a state or local educational agency, board, council, or commission, who is employed by a common school district or institution of higher education, or who occupies a paid political office."

Mrs. Wojahn spoke in favor of the amendment to the committee amendment, and Mr. Bauer spoke against it.

The amendment was not adopted.

Mrs. Erickson moved adoption of the following amendment to the committee amendment:

On page 9, line 2 of the amendment strike all of section 14 and insert:

"NEW SECTION. Sec. 14. The state plan for vocational education shall provide for the following:

- (1) Analysis of citizen and economic needs including forecasts of projected need;
- (2) Procedures insuring the involvement of local education institutions in the planning process;
- (3) Vocational education based upon present and projected need, for the following groups:
  - (a) Persons attending high school;
  - (b) Persons having completed or left high school;
  - (c) Persons who have already entered the labor market and homemakers who need training or retraining to achieve stability or advancement; and
  - (d) Persons who have academic, socio-economic or other handicaps that prevent them from succeeding in the regular vocational education program;
- (4) Construction of vocational education school facilities, in cooperation with the state board of education and the state board for community college education, pursuant to section 4 of this act;
- (5) Ancillary services and activities to assure quality in all vocational education programs, such as teacher training and supervision, program evaluation, special demonstrations and experimental programs, development of instructional materials, and state administration and leadership, including periodic evaluation of state and local vocational programs and services in the light of information regarding current and projected manpower needs and job opportunities;
- (6) Involvement of labor and management organizations (or employee-employer groups where no formalized labor and management organizations exist) in the programs of vocational education by requiring evidence of their endorsement of the program as an integral part of the course development, construction, approval and maintenance process: PROVIDED, That when a vocational or technical program leads to employment in, or is closely associated with, an apprenticeable craft, the required endorsement shall be that of the duly constituted joint apprenticeship and training committee for that job market area as defined in RCW 28A.09.120 or successor statute.
- (7) Certification in cooperation with the state department of labor and industries of each vocational instructor showing demonstrated proficiency in safety and industrial hygiene education appropriate to the occupation in which he teaches;
- (8) Rules and regulations prescribing the minimum qualifications for certification of vocational education teachers, counselors, coordinators, directors, and supervisors, except as otherwise provided by RCW 28A.70.005 and RCW 28B.50.090."

Representatives Erickson, Perry and Bausch spoke in favor of the amendment, and Representatives Bauer, Brown and Smith (Edward) spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Erickson to the committee amendment to Engrossed Substitute Senate Bill No. 2463, and the amendment was not adopted by the following vote: Yeas, 34; nays, 54; not voting, 10.

Voting yea: Representatives Adams, Bausch, Becker, Bender, Boldt, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Gaines, Gallagher, Haley, Hanna, Hawkins, Hurley G. S., Hurley M., Jueling, Kilbury, Knowles, Lysen, Martinis, Maxie, May, Moon, Parker, Perry, Savage, Sherman, Smith R., Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Berentson, Blair, Brown, Ceccarelli, Chandler, Charette, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaspard, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Kalich, King, Kuehnle, Laughlin, Leckenby, Lee, Matthews, McCormick, McKibbin, Nelson, Newhouse, North, O'Brien, Paris, Patterson, Polk, Randall, Schumaker, Seeberger, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Wilson, Zimmerman, and Mr. Speaker.



Not voting: Representatives Bond, Charnley, Conner, Haussler, Jastad, Luders, Moreau, Pardini, Peterson, Whiteside.

The Clerk read the following amendment by Representative Erickson:

On page 11, beginning on line 35 of the committee amendment, after "28B.50.221" strike all material down to and including "amended," on line 36

With the consent of the House, Mrs. Erickson withdrew the amendment.

Mr. Clemente moved adoption of the following amendments to the committee amendment:

On page 3, line 13 strike "five" and insert "six"

On page 3, strike all of line 24 and line 25 through "years." and insert "Two each of the citizen members shall be appointed for periods of one, two and three years."

On page 3, line 25 after "four" strike the balance of the sentence and insert "five and six years."

On page 3, line 27 strike "five" and insert "six"

On page 3, line 31 after "education" insert ", or who occupies a paid political office"

On page 3, lines 32 and 33 strike "four" and insert "five"

Representatives Clemente and Wojahn spoke in favor of the amendments to the committee amendment, and Representatives Bauer and Brown spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Clemente to the committee amendment to Engrossed Substitute Senate Bill No. 2463, and the amendments were not adopted by the following vote: Yeas, 37; nays, 52; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Bausch, Becker, Bender, Boldt, Ceccarelli, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Gallagher, Haley, Hawkins, Hurley G. S., Juelling, Kilbury, Knowles, Lee, Lysen, Martinis, Maxie, May, Moon, North, Parker, Perry, Randall, Savage, Sherman, Shinpoch, Smith R., Valle, Williams, Wojahn.

Voting nay: Representatives Amen, Barnes, Bauer, Berentson, Blair, Brown, Chandler, Charette, Charnley, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley M., Kalich, King, Kuehnle, Laughlin, Leckenby, Matthews, McCormick, McKibbin, Nelson, Newhouse, O'Brien, Paris, Patterson, Polk, Schumaker, Seeberger, Smith E. P., Sommers, Thompson, Tilly, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bond, Conner, Haussler, Jastad, Luders, Moreau, Pardini, Peterson, Whiteside.

Mrs. Erickson moved adoption of the following amendment to the committee amendment:

On page 7, line 42 insert a new section to read as follows:

"NEW SECTION. Sec. 11. The state director of vocational education, subject to the approval of the commission, may appoint not more than one fiscal officer who shall maintain account of federal and state funds, one office manager, and four program supervisors. Pursuant to chapter 41.06 RCW, the state civil service law, he shall appoint such other field and office assistants, clerks and other employees as may be required and authorized for the proper discharge of the functions of the commission. All employees of the former coordinating council for occupational education who are employed exclusively or principally in performing such duties and functions are hereby transferred to the commission upon the effective date of this 1975 amendatory act. All such employees so transferred to the commission or to another agency pursuant to section 9 of this amendatory act shall continue to be governed by the provisions of chapter 41.06 RCW, the state civil service law, without any loss of rights granted by said law: PROVIDED, That those employees who are appointed to positions exempted from civil service coverage shall not retain civil service status in those positions."

Renumber the remaining sections consecutively.

Mrs. Erickson spoke in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Erickson adding a new section 11 to the committee amendment to Engrossed Substitute Senate Bill No. 2463, and the amendment was adopted by the following vote: Yeas, 43; nays, 42; not voting, 13.

Voting yea: Representatives Adams, Bagnariol, Bausch, Becker, Bender, Boldt, Ceccarelli, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gallagher, Haley, Hanna, Hawkins, Hurley G. S., Hurley M., Kilbury, Knowles, Lee, Lysen, Martinis, Maxie, May, McCormick, Moon, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Sherman, Shinpoch, Smith R., Valle, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Berentson, Blair, Brown, Chandler, Charette, Charnley, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo,

Hansen, Hansey, Hayner, Hendricks, Kalich, King, Kuehne, Laughlin, Leckenby, Matthews, McKibbin, Nelson, Newhouse, Paris, Polk, Seeberger, Smith E. P., Sommers, Thompson, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representatives Bond, Chatalas, Conner, Gaspard, Haussler, Jastad, Jueling, Luders, Moreau, Pardini, Peterson, Schumaker, Whiteside.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn and May to the committee amendment:

On page 11, line 31 insert a new section to read as follows:

"NEW SECTION. Sec. 17. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B-50 RCW a new section to read as follows:

It is recognized that further legislation is required to provide for a comprehensive planning process and a decision making system for vocational and technical education programs in the state of Washington, which will result in a coordinated and unified effort, which is responsive to the needs of vocational and technical students and the job market in which such students will be employed, and which recognizes the constitutional authority of the superintendent of public instruction.

To that end, there is hereby created a temporary thirteen-member special interim legislative committee consisting of the superintendent of public instruction; the chairman and one member from each political party of the senate standing committee on higher education to be appointed by the president of the senate; the chairman and one member from each political party of the senate standing committee on education to be appointed by the president of the senate; the chairman and one member from each political party of the house of representatives standing committee on higher education to be appointed by the speaker; and the chairman and one member from each political party of the house of representatives standing committee on education to be appointed by the speaker, all appointive members to be selected before the close of this 1975 extraordinary session of the legislature. Such members will meet upon the call of the superintendent of public instruction and organize in the manner best befitting their purposes. Appointive members shall be paid no compensation but shall receive, in lieu of per diem or any other payment, the amount provided for in RCW 44.04.120. Such special commission shall report to the forty-fifth legislature no later than December 1, 1976 recommendations for necessary changes in current law which will further implement the provisions of this 1975 amendatory act, and including provisions for:

(1) Single administration at the state level for common schools, technical schools, and community colleges in order to:

- (a) Minimize duplication of programs and facilities;
- (b) Implement Section 22, Article III and Section 2, Article IX of the Washington State Constitution;
- (c) Avoid unnecessary duplication of state staff assigned to ancillary and support services to the common school, technical, and community college programs; and
- (d) Provide for greater coordination to areas (such as adult education, community services, community schools, and high school completion programs) where joint jurisdiction exists within different delivery systems.

(2) Greater local autonomy for community college boards in order to:

- (a) Ensure that the needs of local communities have been met and that such boards are responsive to the needs of the state and its localities; and
- (b) Eliminate any implication that the intent of the legislature is to have the state board for community college education control the direct operation of individual community colleges or community college districts.

(3) The popular election of local community college board trustees.

(4) The indirect election of members of the state board for community college education by the trustees of local community college districts.

(5) The division of authority between the state board for community college education and local board of trustees.

(6) The necessary changes in the structure and authority of the state board of education, state board for community college education, and the commission for vocational education."

Renumber the remaining sections consecutively.

Representatives Wojahn, May and Clemente spoke in favor of the amendment to the committee amendment, and Representatives Bauer, Brown and Hayner spoke against it.

The amendment was not adopted.

#### MOTION FOR RECONSIDERATION

Mr. Patterson, having voted on the prevailing side, moved that the House reconsider the vote by which the House adopted the amendment by Representative Erickson adding a new section 11 to the committee amendment.

#### POINT OF ORDER

Mr. Perry: "As we go through the amendments, if there is intervening business, can a person subsequently much later in the procedure, ask for a reconsideration? You could have an interminable procedure if you can."

## SPEAKER'S RULING

The Speaker: "Reed's Rule 204 says, 'A motion to reconsider is not in order after action has been had by the assembly in consequence of the decision proposed to be reconsidered.' The Speaker has been watching the amendments and I don't think the House has done anything in consequence of this particular amendment; therefore, the motion would be in order during the second reading on today's action on this bill."

Mr. Patterson spoke in favor of the motion.

## POINT OF ORDER

Mrs. Wojahn: "Mr. Speaker, in so ruling and permitting intervening business, after the adoption of the amendment, I withdrew an amendment which I would have offered had this other amendment not been adopted."

The Speaker: "That was not an action by the body, Representative Wojahn. If this motion carries and the body reconsiders and strikes the amendment, you could ask for your amendment to be considered."

Representatives Brown, Bauer and Hayner spoke in favor of the motion, and Representative Erickson spoke against it.

## ROLL CALL

The Clerk called the roll on the motion for reconsideration of the vote by which the House adopted the Erickson amendment to the committee amendment to Engrossed Substitute Senate Bill No. 2463, and the motion was carried by the following vote: Yeas, 48; nays, 38; not voting, 12.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Blair, Brown, Chandler, Charette, Charnley, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaines, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley G. S., Hurley M., Kalich, King, Kuehne, Laughlin, Leckenby, Lee, Matthews, May, Nelson, Newhouse, Paris, Patterson, Polk, Schumaker, Smith E. P., Sommers, Thompson, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bausch, Becker, Bender, Boldt, Ceccarelli, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Gallagher, Gaspard, Hanna, Hawkins, Jueling, Kilbury, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Smith R., Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bagnariol, Bond, Conner, Haussler, Jastad, Knowles, Luders, Moreau, Pardini, Peterson, Shinpoch, Whiteside.

The Speaker stated the question before the House to be reconsideration of the amendment by Representative Erickson adding a new section 11 to the committee amendment.

Mrs. Erickson spoke in favor of the amendment, and Representatives Patterson and Brown spoke against it.

## ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Erickson adding a new section 11 to the committee amendment to Engrossed Substitute Senate Bill No. 2463, and the amendment was not adopted by the following vote: Yeas, 37; nays, 49; not voting, 12.

Voting yea: Representatives Adams, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Gallagher, Gaspard, Haley, Hanna, Hawkins, Jueling, Kilbury, Lysen, Martinis, Maxie, Moon, North, O'Brien, Perry, Randall, Savage, Sherman, Smith R., Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Berentson, Blair, Brown, Chandler, Charnley, Chatalas, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaines, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Hurley G. S., Hurley M., Kalich, King, Kuehne, Laughlin, Leckenby, Lee, Matthews, May, McCormick, McKibbin, Nelson, Newhouse, Paris, Patterson, Polk, Schumaker, Seeberger, Smith E. P., Sommers, Tilly, Wilson, Zimmerman.

Not voting: Representatives Bond, Conner, Haussler, Jastad, Knowles, Luders, Moreau, Pardini, Parker, Peterson, Shinpoch, Whiteside.

The Speaker called on Mr. O'Brien to preside.

Mrs. Wojahn moved adoption of the following amendment:

On page 7, beginning on line 32 strike all of section 10 and insert:

"NEW SECTION. Sec. 10. Notwithstanding any other provision of law, including RCW 28B.50.060 and 28B.50.200, or successor statutes, on the effective date of this 1975 amendatory act the commission for

vocational education shall appoint the superintendent of public instruction as the state director of vocational education. The current director for the coordinating council on occupational education may serve for the remainder of his contract as consultant to the superintendent of public instruction and shall perform such duties as requested by the superintendent of public instruction.

The commission may employ such other personnel as may be necessary to carry out the purposes of this amendatory act. The commission in accordance with section 4 of this amendatory act shall keep its professional staff to the minimum number of persons necessary to fulfill its duties under this amendatory act and the performance of such other administrative responsibilities as the legislature may provide."

Mrs. Wojahn spoke in favor of the amendment to the committee amendment, and Representatives Brown and Bauer spoke against it.

The amendment was not adopted.

The committee amendment was adopted.

On motion of Mr. Bauer, the committee amendment to the title was adopted.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2463 as amended by the House was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Perry.

Mr. Perry: "On page 3, line 29 after 'board,' the word 'council' appears. That isn't meant to be construed as prohibiting members of the joint apprenticeship council from being members of that board that is appointed by the Governor, is it?"

Mr. Bauer: "No."

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mrs. Wojahn.

Mrs. Wojahn: "By our actions here on the floor, if we vote for this bill, do we then destroy the joint apprenticeship training programs in the state of Washington as they exist today so that we don't have jobs for children when they get out of school?"

Mr. Bauer: "No, we do not destroy it."

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Ms. Maxie.

Ms. Maxie: "It has been stated here that this bill tries to resolve a jurisdictional problem between the two powers regarding vocational education. My question to you as I have stated before is, how does it affect the public? That is to say, a consumer inquiring as to what skills are available, how long it takes and what it costs, whether or not the skills will bring about a job, who is in the system and who would that person go to get these questions answered?"

Mr. Bauer: "This does not make one uniform delivery of vocational education. You can't call one single person head. We have two delivery systems; we have a community college that delivers vocational education and we have the SPI delivering vocational education. If you want to know what kind of a program that is delivered from the SPI, you call the SPI or your local school board. If you want to know what the community college program is, you call the community college people."

Ms. Maxie: "Are you suggesting that there is no duplication in the two systems? In other words, if the consumer wants to know whether they are getting their money's worth by going to K-12 or community college, can someone answer that question? Because if you go to the SPI's office it stands to reason that the superintendent would want them to come to their systems, but if you went to the community college they will want the people to come to that system. I'm concerned about the consumer and the consumer getting the best plan for the least amount of money and the best results—that is a job as a goal. I've been asking that question for a long time and I'm really upset with the manner in which I've been treated around here regarding this matter. Four years ago I served on a subcommittee with Senator Odegaard regarding this matter and I was highly insulted by the coordinating council staff asking questions such as this, and I have been asking this question for a long time. I served

on that subcommittee with you and I was insulted and people kept saying that it was a jurisdictional problem. These are questions you don't ask. I asked for an organizational chart to be presented by your staff so that we could really see this measure, because when people in my district ask me questions I want to be able to give them some good answers, and not go through the bureaucracy."

Mr. Bauer: "It would be difficult to call local school districts and ask what kind of a delivery system or what kind of program your students should go into in a vocational program to get the most for their money. The programs differ, certainly, and I think that if the person would have called his local school district about vocational programs within that district he would have gotten an answer if he had a specific question about that program, or the voc-tech institute, or the community college. I can understand what you mean. A fellow testified in our committee who was totally frustrated with the kind of run-around you get and that's part of the unfortunate bureaucratic process, but education doesn't have a monopoly on that."

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mrs. Hayner.

Mrs. Hayner: "In section 12 of this bill the governor is authorized to determine where certain functions of the coordinating council not transferred by the legislation shall be placed. Is it the legislature's intention to explicitly limit this determination to only those agencies named in this bill, or is it the intent of the legislature to allow the Governor to determine proper placement of these functions?"

Mr. Bauer: "The latter."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2463 as amended by the House, and the bill passed the House by the following vote: Yeas, 72; nays, 17; not voting, 9.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley G. S., Hurley M., Kalich, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Matthews, Maxie, May, McCormick, McKibbin, Nelson, Newhouse, North, O'Brien, Paris, Parker, Patterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Becker, Bender, Clemente, Cochran, Ehlers, Eng, Erickson, Hawkins, Jueling, Kilbury, Lysen, Martinis, Moon, Perry, Williams, Wojahn.

Not voting: Representatives Bond, Haley, Haussler, Jastad, Luders, Moreau, Pardini, Peterson, Whiteside.

Engrossed Substitute Senate Bill No. 2463 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m. Monday, May 26, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 26, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Bond, Leckenby, Luders, Peterson and Whiteside, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Judy Harter and Bill Mahoney. Prayer was offered by Father Dennis Robb of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE SENATE

May 23, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 47, and the President has appointed as conferees thereon: Senators Walgren, Bottiger, Bluechel.

Bill Gleason, Assistant Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

On motion of Mr. Thompson, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Bond, Leckenby, Luders, Peterson and Whiteside, who were excused.

## MESSAGE FROM THE SENATE

May 26, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 62,  
 HOUSE BILL NO. 265,  
 HOUSE BILL NO. 314,  
 HOUSE BILL NO. 595,  
 HOUSE BILL NO. 752,  
 SUBSTITUTE HOUSE BILL NO. 932,  
 HOUSE BILL NO. 1031,  
 SENATE BILL NO. 2032,  
 SENATE BILL NO. 2109,  
 SENATE BILL NO. 2124,  
 SENATE BILL NO. 2126,  
 SENATE BILL NO. 2194,  
 SENATE BILL NO. 2227,  
 SENATE BILL NO. 2309,

SENATE BILL NO. 2332,  
 SENATE BILL NO. 2484,  
 SUBSTITUTE SENATE BILL NO. 2526,  
 SENATE BILL NO. 2607,  
 SUBSTITUTE SENATE BILL NO. 2654,  
 SUBSTITUTE SENATE BILL NO. 2725,  
 SENATE BILL NO. 2861,  
 SENATE BILL NO. 2904,  
 SENATE BILL NO. 2910,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

**HOUSE CONCURRENT RESOLUTION NO. 34**, by Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson and Zimmerman:

Establishing procedures for reconvening the legislature.

To Committee on Rules.

**HOUSE CONCURRENT RESOLUTION NO. 35**, by Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Jueling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson and Zimmerman:

Providing for the temporary adjournment of the legislature and establishing procedures for reconvening the legislature.

#### MOTION

On motion of Mr. Eikenberry, House Concurrent Resolution No. 35 was referred to Committee on Rules for second reading.

**ENGROSSED SENATE BILL NO. 2735**, by Senator Day:

Revising laws relating to care of mentally or physically deficient persons.

To Committee on Social and Health Services

#### REPORTS OF STANDING COMMITTEES

May 23, 1975

**ENGROSSED SENATE BILL NO. 2046**, Prime Sponsor: Senator Walgren, declaring that fishing derbys are not gambling and removing them from regulation by the gambling commission. Reported by Committee on Commerce.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, beginning on line 13 strike all of section 1.

Re-number remaining sections consecutively.

On page 4, line 35 after "with" insert "or without"

On page 1, beginning on line 1 of the title after "gambling;" strike all material down to and including "9.46.010;" on line 3.

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Dunlap, Gaines, Greengo, Kuehnle, Williams.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Newhouse, the House advanced to the seventh order of business.

#### THIRD READING

**REENGROSSED SENATE BILL NO. 2306**, by Senators Day and Jones:

Revising the law relating to usury.

The bill was read the third time and placed on final passage.

Representatives Kuehnle and Eikenberry spoke in favor of the bill, and Representatives Hurley (George) and Wojahn spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

Mrs. Valle demanded an oral roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2306, and the bill failed to pass the House by the following vote: Yeas, 49; nays, 40; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Boldt, Brown, Ceccarelli, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gilleland, Haley, Hanna, Hansen, Hawkins, Hayner, Hurley M., Kalich, Kuehnle, Laughlin, Matthews, May, McCormick, Moreau, Nelson, North, Paris, Polk, Randall, Schumaker, Sherman, Shipoch, Smith R., Sommers, Thompson, Warnke, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Berentson, Charette, Charnley, Clemente, Cochrane, Deccio, Gaines, Gaspard, Graengo, Hansey, Haussler, Hendricks, Hurley G. S., Jastad, Jueling, Kilbury, King, Knowles, Lee, Lysen, Martinis, Maxie, McKibbin, Newhouse, O'Brien, Pardini, Parker, Patterson, Perry, Savage, Seeberger, Smith E. P., Tilly, Valle, Williams, Wilson, Wojahn.

Not voting: Representatives Blair, Bond, Chandler, Chatalas, Leckenby, Luders, Moon, Peterson, Whiteside.

Reengrossed Senate Bill No. 2306, having failed to receive the constitutional majority, was declared lost.

#### STATEMENT FOR THE JOURNAL

I voted in favor of SB 2306, recognizing that it is a controversial measure which only time will determine its impact on various businesses. Because a similar measure has worked in Oregon, and because I am persuaded that all businesses must be able to borrow money when they need it, and because it has been my own personal experience that banks are willing to lend to all elements of society, including little businesses, I do not feel the measure will have an adverse effect upon small business. I am very concerned for and interested in providing stability for small business, and I in no way would want to hurt that sector of society. As for the causes of inflation, they are primarily because of the federal government cranking up the printing presses (printing money), rather than being able to improve productivity. Because Washington State is not an island economically, I think it is unrealistic to have the previous limits on loan interest. It is an honest recognition of the need for freeing up the market for the rent of money. I was also persuaded that Representative Pardini's explanations of the impact on various businesses proved rather conclusively that it would not be as drastic as had been predicted. If, in the future, the lending institutions do abuse their privileges and responsibilities, I will be among the first to take steps to correct the situation.

HAL ZIMMERMAN, 17th District.

Mr. Whiteside appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 2341 as amended by the House, by Senators Bottiger, Beck and Matson (by Utilities and Transportation Commission request):

Making certain changes in the laws relating to public service companies.

The bill was read the third time and placed on final passage.

Representatives Hansen and Parker spoke in favor of the bill, and Representative Matthews spoke against it.

Mrs. Wojahn demanded the previous question and the demand was not sustained.

Mr. Savage spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2341 as amended by the House, and the bill passed the House by the following vote: Yeas, 66; nays, 26; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger.



Sherman, Shinoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Juelling, Kuehne, Lee, Matthews, Nelson, Newhouse, Pardini, Patterson, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Blair, Boldt, Bond, Leckenby, Luders, Peterson.

Engrossed Senate Bill No. 2341 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2386, by Senators Guess, Keefe, Donohue and Lewis (R.H.):

Amending the laws providing for licensing of snowmobiles and providing for the distribution of such fees.

The bill was read the third time and placed on final passage.

Mrs. Hurley (Margaret) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2386, and the bill passed the House by the following vote: Yeas, 57; nays, 35; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bender, Berentson, Brown, Ceccarelli, Charnley, Chatalas, Dunlap, Eikenberry, Fischer, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Haussler, Hayner, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Lee, Maxie, May, McCormick, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Polk, Savage, Schumaker, Seeberger, Shinoch, Smith E. P., Thompson, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Bausch, Becker, Chandler, Charette, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Gaspard, Hanna, Hansey, Hawkins, Hendricks, Laughlin, Lysen, Martinis, Matthews, McKibbin, Moon, Nelson, Newhouse, Perry, Randall, Sherman, Smith R., Sommers, Tilly, Williams.

Not voting: Representatives Blair, Boldt, Bond, Leckenby, Luders, Peterson.

Engrossed Senate Bill No. 2386, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

#### SENATE AMENDMENTS TO HOUSE BILL

May 16, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 198 with the following amendments:

In the title, line 1, after "insurance;" and before "amending" insert "amending section 11, chapter 212, Laws of 1959 and RCW 31.08.175;"

On page 1, line 13 of the title after "560;" and before "amending" on line 14 insert "amending section 5, chapter 119, Laws of 1974 ex. sess. and RCW 48.21.190;"

On page 1, line 19 of the title after "090;" strike the remainder of the title down to and including the period on line 20 and insert "amending section 4, chapter 119, Laws of 1974 ex. sess. and RCW 48.44.240; adding new sections to chapter 48.20 RCW; and adding a new section to chapter 48.21 RCW."

On page 1, line 19 of the title strike "and" and on line 20 after "48.20 RCW" insert "; and adding a new section to chapter 48.44 RCW"

On page 1, line 22 after the enacting clause insert a new section to read as follows:

"Section 1. Section 11, chapter 212, Laws of 1959 and RCW 31.08.175 are each amended to read as follows:

(1) No licensee shall require the purchasing of property insurance from the licensee or any employee, affiliate, or associate of the licensee or from any agent, broker, or insurance company designated by the licensee as a condition precedent to the making of a loan nor shall any licensee decline existing insurance which meets or exceeds the standards set forth in this section.

The licensee may require a borrower to insure tangible property offered as security for a loan hereunder against any substantial risk of loss, damage, or destruction for an amount not to exceed the reasonable value of the property insured or the amount of the loan and for the customary term approximating the term of the loan contract: PROVIDED, That no licensee hereunder may require such insurance on loans

in an amount less than three hundred dollars. It shall be optional with the borrower to obtain such insurance in an amount greater than the amount of the loan or for a longer term. The premium for such insurance shall not exceed that fixed by current applicable manual of a recognized standard insurance rating bureau and such insurance shall be written by or through a duly licensed insurance agent or broker.

(2) A licensee may insure the life of one borrower, but only one of them if there are two or more obligors, for the unpaid principal balance scheduled to be outstanding; and regardless of the premium paid by the licensee, the licensee may charge not more than sixty cents per one hundred dollars per year computed on the original principal amount of the loan, excluding charges for the loan, when the loan contract requires substantially equal and consecutive monthly installments of principal and charges combined, and such charge may be in the same proportions for different payment schedules, maturities, and principal amounts: PROVIDED, HOWEVER, That if both husband and wife sign an obligation to repay the loan, each may be an insured borrower hereunder and a single identifiable insurance charge may be made by the licensee for the two jointly under a plan whereby both lives are insured but a death benefit is paid only upon the death of the spouse dying first. For such joint spouse coverage, the licensee may charge not more than one dollar per one hundred dollars per year computed on the same basis as herein prescribed for life insurance on one borrower. Such charge may be deducted from the principal of the loan when the loan is made. Only one such charge may be made in connection with any loan contract irrespective of the number of obligors, and only one obligor need be insured. If the insured obligor dies during the term of the loan contract, the insurance must pay the principal balance of the loan outstanding on the day of his death without any exception or reservation. The insurance shall be in force as soon as the loan is made. If the loan contract is prepaid in full by cash, a new loan, renewal, refinancing, or otherwise, a portion of such life insurance charge shall be rebated according to the method established in paragraphs (a) and (b) of subsection (3) of RCW 31.08.160. When charges for the loan are precomputed in accordance with subsection (3) of RCW 31.08.160, any required rebate and any permitted deferral charge may be computed on the combined total of the precomputed charge and the life insurance charge.

(3) If a borrower procures any insurance by or through a licensee, the statement required by RCW 31.08.170 shall disclose the cost to the borrower and the type of insurance, and the licensee shall cause to be delivered to the borrower a copy of the policy, certificate, or other evidence thereof within a reasonable time.

Notwithstanding any other provision of this chapter, any gain or advantage in any form whatsoever to the licensee or to any employee, affiliate, or associate of the licensee from any insurance or its sale or provision shall not be deemed to be additional or further interest, consideration, charges, or fee in connection with such loan.

Nothing in this section shall be deemed to alter, amend or repeal any provision of the insurance code.

No insurance shall be required, requested, sold, or offered for sale in connection with any loan made under this chapter, except as and to the extent authorized by this section."

Remember the remaining sections consecutively.

On page 5, section 6, line 31 strike all of subsection (3) and insert the following:

"(3) This section shall not apply with respect to any person securing and forwarding information required for the purposes of group ((insurance covering the unpaid balance, or remaining payments proposed to be made, in connection with the purchase of merchandise or securities, and where no commission or other compensation is payable on account of such insurance to such person)) credit life and credit disability insurance in connection with an extension of credit and such other credit life or disability insurance lines as the commissioner shall determine, and where no commission or other compensation is payable on account of the securing and forwarding of such information: PROVIDED, That the reimbursement of a creditor's actual expenses for securing and forwarding information required for the purposes of such group insurance shall not be considered a commission or other compensation if such reimbursement does not exceed three dollars per certificate issued, or in the case of a monthly premium plan extending beyond twelve months, not to exceed three dollars per loan transaction revision per year."

On page 6, add a new section following section 8 as follows:

"Sec. 9. Section 5, chapter 119, Laws of 1974 ex. sess. and RCW 48.21.190 are each amended to read as follows:

RCW 48.21.160 through 48.21.190 and 48.44.240 as now or hereafter amended shall not apply to the renewal of a contract in force prior to the pertinent date provided for such contract under RCW 48.21.160 through 48.21.190 and 48.44.240 as now or hereafter amended where there exists a right of renewal on the part of the insured or subscriber without any change in any provision of the contract: PROVIDED FURTHER, That RCW 48.21.160 through 48.21.190 and 48.44.240 as now or hereafter amended shall not apply to contracts which provide only accident coverage, nor to any contract written as supplemental coverage to any federal or state programs of health care including, but not limited to, Title XVIII health insurance for the aged (commonly referred to as Medicare, Parts A and B), and amendments thereto."

Remember the remaining sections consecutively.

On page 6, after new section 9 added by the committee amendment add a new section as follows:

"NEW SECTION. Sec. 10. There is added to chapter 48.44 RCW a new section to read as follows:

(1) All agreements entered into by health care contractors with or for the benefit of persons or groups of persons for health care services which are the same or similar to disability policies of insurance authorized by chapters 48.20 and 48.21, RCW, notwithstanding any other provisions in chapter 48.44 to the contrary, shall comply with the provisions of chapters 48.20 and 48.21 RCW relating to benefits for services

performed by licensed practitioners of health care: PROVIDED, That prepaid group practice plans which deliver services directly to a voluntary enrolled group of members shall be exempt from such compliance.

(2) All contracts or agreements renewed, delivered, or issued more than one hundred twenty days after the effective date of this act shall comply with the intent hereof, and the insurance commissioner shall disapprove any contracts or agreements that are not in compliance therewith, and he shall promulgate such rules and regulations as are necessary to carry out the provisions of this act."

Renumber the remaining sections consecutively.

On page 10, add new sections following old section 11 as follows:

"Sec. 13. Section 4, chapter 119, Laws of 1974 ex. sess. and RCW 48.44.240 are each amended to read as follows:

Each group contract for health care services which is entered into, or renewed, on or after (~~January 1, 1975~~) the effective date of this 1975 amendatory act between a health care service contractor and the person or persons to receive such care shall contain provisions providing benefits for the treatment of alcoholism rendered to such person or persons by an alcoholic treatment facility which is an 'approved treatment facility' under RCW 70.96A.020(2).

**NEW SECTION. Sec. 14.** The purpose of sections 14 through 18 of this 1975 amendatory act is to provide reasonable standardization and simplification of terms and coverages of individual disability insurance policies to facilitate public understanding and comparison, to eliminate provisions contained in individual disability insurance policies which may be misleading or unreasonably confusing in connection either with the purchase of such coverages or with the settlement of claims, and to provide for full disclosure in the sale of disability coverages.

**NEW SECTION. Sec. 15.** There is added to chapter 48.20 RCW a new section to read as follows:

The commissioner shall issue regulations to establish specific standards, including standards of full and fair disclosure, that set forth the manner, content, and required disclosure for the sale of individual policies of disability insurance which shall be in addition to and in accordance with applicable laws of this state, including RCW 48.20.032, which may cover but shall not be limited to:

- (1) Terms of renewability;
- (2) Initial and subsequent conditions of eligibility;
- (3) Nonduplication of coverage provisions;
- (4) Coverage of dependents;
- (5) Preexisting conditions;
- (6) Termination of insurance;
- (7) Probationary periods;
- (8) Limitations;
- (9) Exceptions;
- (10) Reductions;
- (11) Elimination periods;
- (12) Requirements for replacement;
- (13) Recurrent conditions, and
- (14) The definition of terms including but not limited to the following: Hospital, accident, sickness, injury, physician, accidental means, total disability, partial disability, nervous disorder, guaranteed renewable, and noncancellable.

**NEW SECTION. Sec. 16.** There is added to chapter 48.20 RCW a new section to read as follows:

(1) The commission shall issue regulations to establish minimum standards for benefits under each of the following categories of coverage in individual policies, other than conversion policies issued pursuant to a contractual conversion privilege under a group policy, of disability insurance:

- (a) Basic hospital expense coverage;
- (b) Basic medical-surgical expense coverage;
- (c) Hospital confinement indemnity coverage;
- (d) Major medical expense coverage;
- (e) Disability income protection coverage;
- (f) Accident only coverage; and
- (g) Specified disease or specified accident coverage.

(2) Nothing in this section shall preclude the issuance of any policy which combines two or more of the categories of coverage enumerated in items (a) through (f) of subsection (1) of this section.

(3) No policy shall be delivered or issued for delivery in this state which does not meet the prescribed minimum standards for the categories of coverage listed in items (a) through (g) of subsection (1) of this section, unless the commissioner finds such policy will be in the public interest and such policy meets the requirements set forth in RCW 48.18.110.

(4) The commissioner shall prescribe the method of identification of policies based upon coverages provided.

**NEW SECTION. Sec. 17.** There is added to chapter 48.20 RCW a new section to read as follows:

(1) No policy of individual disability insurance shall be delivered or issued for delivery in this state unless an outline of coverage described in subsection (2) of this section is furnished to the applicant in accord with such rules or regulations as the commissioner shall prescribe.

(2) The commissioner shall prescribe the format and content of the outline of coverage required by subsection (1) of this section. 'Format' means style, arrangement, and overall appearance, including such

items as the size, color, and prominence of type and the arrangement of text and captions. Such outline of coverage shall include:

- (a) A statement identifying the applicable category or categories of coverage provided by the policy as prescribed in section 15 of this 1975 amendatory act;
- (b) A description of the principal benefits and coverage provided in the policy;
- (c) A statement of the exceptions, reductions and limitations contained in the policy;
- (d) A statement of the renewal provisions including any reservation by the insurer of a right to change premiums; and
- (e) A statement that the outline is a summary of the policy issued or applied for and that the policy should be consulted to determine governing contractual provisions.

**NEW SECTION.** Sec. 18. There is added to chapter 48.20 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 48.20.052, if an insurer elects to use a simplified application form, with or without a question as to the applicant's health at the time of application, but without any questions concerning the insured's health history or medical treatment history, the policy must cover any loss occurring after twelve months from any preexisting condition not specifically excluded from coverage by terms of the policy, and, except as so provided, the policy shall not include wording that would permit a defense based upon preexisting conditions.

**NEW SECTION.** Sec. 19. There is added to chapter 48.21 RCW a new section to read as follows:

(1) No group disability insurance policy which provides benefits for hospital, medical, or surgical expenses shall be delivered or issued for delivery in this state after the effective date of this 1975 act which contains any provision whereby the insurer may reduce or refuse to pay such benefits otherwise payable thereunder solely on account of the existence of similar benefits provided under any individual disability insurance policy, or under any individual health care service contract.

(2) No group disability insurance policy providing hospital, medical or surgical expense benefits and which contains a provision for the reduction of benefits otherwise payable thereunder on the basis of other existing coverages, shall provide that such reduction will operate to reduce total benefits payable below an amount equal to one hundred percent of total allowable expenses. The commissioner shall by rule establish guidelines for the application of this section, including: (a) The procedures by which persons insured under such policies are to be made aware of the existence of such a provision; (b) the benefits which may be subject to such a provision; (c) the effect of such a provision on the benefits provided; (d) establishment of the order of benefit determination; and (e) reasonable claim administration procedures to expedite claim payments under such a provision.

(3) The provisions of this section shall apply to health care service contractor contracts."

Renumber the remaining section as section 20.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

Mr. Parker moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 198.

### POINT OF ORDER

Mr. Haley: "House Rule 32 and the spirit of House Rule 33 has just been violated by the Senate action taken in regard to this bill. The Senate amendments, which consist of sections 9, 10 and 13 of Engrossed Substitute House Bill No. 198 change the scope and object of the original bill, thus violating House Rule 32. I would seek a ruling from you on this. Also Rule 33 has been violated in spirit, if not actually, because when this bill left the House it had nothing to do whatsoever with the subject of health care contractors, but when it comes back here at this point it now contains the substance of three separate bills, which have to do with health care contractors. In view of these facts, I would ask for a ruling on the scope and object, especially object in regard to amendments, sections 9 and 13."

The Speaker: "Representative Haley, the Speaker will take under advisement your point of order and we will proceed onto the next Senate message and come back to this after I've had a chance to study it."

### SENATE AMENDMENTS TO HOUSE BILL

May 19, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 173 with the following amendments:

On line 3 of the title after "RCW 28A.58.101" and before the period insert "amending sections 28A-.58.137, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.137; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW"

On page 1, line 22 of the printed bill, being line 23 of the engrossed bill, after "to" insert "the discipline of " and on line 23 of the printed bill being line 24 of the engrossed bill before the period insert "after June 30, 1976"

Add three new sections following section 1 to read as follows:

"Sec. 2. Section 28A.58.137, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.137 are each amended to read as follows:

In all districts the board of directors shall elect a superintendent who shall (~~hold a valid teacher's certificate and such other credentials as required by the state board of education~~) have such qualifications as the local school board alone shall determine. He shall have supervision over the several departments of the schools thereof and carry out such other powers and duties as prescribed by law. Notwithstanding the provisions of RCW 28A.58.100(1), the board may contract with such superintendent for a term not to exceed three years when deemed in the best interest of the district.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW a new section to read as follows:

Notwithstanding any other provision of Title 28A. RCW, the state board of education or superintendent of public instruction shall not require any professional certification or other qualifications of any person elected superintendent of a local school district by that district's board of directors, or any person hired in any manner to fill a position designated as, or which is, in fact, deputy superintendent, or assistant superintendent.

NEW SECTION. Sec. 4. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW a new section to read as follows:

If any provision of this 1975 amendatory act, or its application to any person or circumstances is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Clemente, the House concurred in the Senate amendments adding three new sections and to the title, and did not concur in the amendment to page 1, line 22 and asked the Senate to recede therefrom.

#### SENATE AMENDMENT TO HOUSE BILL

May 19, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 423 with the following amendment:

On page 2, line 14 of the printed bill, being line 15 of the engrossed bill, after "taxpayer" and before "that" insert ", and the person making payments if that person is to be notified pursuant to RCW 84.40-.045, as now existing or hereafter amended," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Laughlin, the House concurred in the Senate amendment to Engrossed House Bill No. 423.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 423 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 423 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurlley G. S., Hurlley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wajahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Boldt, Bond, Leckenby, Luders, Peterson, Smith E. P.

Engrossed House Bill No. 423 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

May 19, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 464 with the following amendment:

On page 2, line 29 of the engrossed and printed bills, after "available" insert "PROVIDED, That any landing fee or charge imposed by any Indian tribe or tribes for the privilege of use of an airport facility planned, acquired, constructed, improved, maintained, or operated with financial assistance from the commission pursuant to this section must apply equally to tribal and nontribal members: PROVIDED FURTHER, That in the event any municipality or municipalities or Indian tribe or tribes, or any distributor of aircraft fuel as defined by RCW 82.42.020 which operates in any airport facility which has received financial assistance pursuant to this section, fails to collect the aircraft fuel excise tax as specified in chapter 82.42 RCW, all funds or value of technical assistance given or paid to such municipality or municipalities or Indian tribe or tribes under the provisions of this section shall revert to the commission, and shall be due and payable to the commission immediately"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Conner, the House concurred in the Senate amendment to Engrossed House Bill No. 464.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 464 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 464 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Boldt, Bond, Knowles, Leckenby, Luders, Peterson, Smith E. P.

Engrossed House Bill No. 464 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

May 19, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 530 with the following amendment:

On page 2, line 15 after "RCW 43.03.050" strike all of the material down to the period on line 18 and insert "and 43.03.060 as now existing or hereafter amended"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Haussler, the House concurred in the Senate amendment to Engrossed House Bill No. 530.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 530 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 530 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 2; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Warnke.

Not voting: Representatives Blair, Boldt, Bond, Leckenby, Luders, Peterson.

Engrossed House Bill No. 530 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 19, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 796 with the following amendments:

On page 1, line 9 after "account" and before "in" insert "maintained by the landlord for the purpose of holding such security deposits for tenants of the landlord."

On page 1, line 10, after "Washington." and before "The" insert "Unless otherwise agreed in writing, the landlord shall be entitled to receipt of interest paid on such trust account deposits."

On lines 9, 15 and 16 strike "trust" and insert "((trust)) guaranty"

On line 15 after "account" and before "shall" insert "affected by such transfer"

On line 21 after "commingled" and before the period insert "PROVIDED, That nothing in this section shall apply to landlords having less than four dwelling units in the state of Washington" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Thompson moved that the House do concur in the Senate amendments to page 1, line 9 and to page 1, line 15; and do not concur in the Senate amendments to page 1, line 10; page 1, lines 9, 15 and 16; and to page 1, line 21, and ask the Senate to recede therefrom.

Representatives Thompson and Hayner spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Knowles yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "The thrust of the third Senate amendment, that of substituting the word 'guaranty' for the word 'trust,' confuses me. Can you explain to me the difference between guaranty account and trust account? I presume in the process you can explain to me why you object to the amendment."

Mr. Knowles: "Perhaps I should explain the purpose behind this clause when it occurred in the Landlord Tenant Act. In the number of hearings we had on the bill, it appeared that in some instances, particularly where there might be a large rental complex involved (100 or more units) that tenants would deposit up to a hundred dollars or some figure as a damage deposit with the landlord, and at the end of the lease period or rental period they are entitled to receive that money back, less any amount that represents the damage that the tenant has done to the premises. There is a further condition in there that the landlord notify the tenant where this money is and within 14 days after termination of the tenancy he must account to him in writing the amount he is withholding and refund to him the difference. Testimony in committee was to the effect that in some of these instances, particularly as I have said before in the large rental complexes, when it came time for the tenant to have that return of the

money, the money wasn't there. Either the landlord had extended himself and shall we say, gone broke, or he might have taken quite a large sum of money and bought another piece of land for his next project. That was the reason that this was put in there, and it is intended to be money that belongs to the tenant. It's safe from garnishment; it's safe from problems if there's a bankruptcy. The difference between a trust account—there is some accountability to the landlord in a trust account to maintain that money really in the name of the tenants themselves. As I understand a guaranty fund, that money probably could belong to the landlord, and he just guarantees that it will be there at the time the tenant requests it or at the time he moves out. I believe the trust account is fully in accord with the intent of the Landlord Tenant Act, to solve those problems that I have just described to you. I believe that it is better that way, so that it's actually in the name of the tenant in trust. The other way he's not required to put the money in a savings account or anything else, he just takes their money, puts it in a separate account in trust for the tenants."

Mr. Kuehnle: "I'm still vague on the guaranty account and I guess it's perhaps a difference of opinion as to what I think the account is. If it is, Representative Knowles, as you have stated, then I would concur with your logic on the thing and I'm really not in a position to argue the point. I would like to ask you a further question: As the Landlord Tenant Act is presently written, is there any provision for identification of interest earned on moneys invested in a trust account?"

Mr. Knowles: "There is not. It's completely silent on it. When this bill came before the House Judiciary Committee, it was testified to by a certain landlord group, I believe from the Southwest part of the state. I asked that question and they said that it was something that had been pretty well worked out between themselves as to how it would be handled. There is no requirement that this be put in any kind of a savings account. The landlord can put it in a checking account if he so desires. My objection, if this is what you are speaking to, is the amendment that deals with that put on by the Senate. I don't think there would be any doubt if it's provided for in writing exactly what is going to happen. The landlord is going to draw his lease in such a manner that the damage deposit is put into a trust account and the interest belongs to the landlord. There's where the tenant makes his choice as to whether or not he wants to lease the premises, as to whether or not he wants to give that interest to the landlord—it leaves no choice whatsoever to the tenant."

Mr. Kuehnle: "Is there any question in your mind, Representative Knowles, relative to the ability or capability of the landlord to use as a trust account an interest-bearing savings account?"

Mr. Knowles: "No, if he desire to do so, there's no problem."

Mr. Kuehnle: "The argument has been presented that the rationale presented with changing the word from trust account to guaranty account is to technically permit the investment in an interest-bearing account—someone's interpretation having been that a trust account is not and cannot be an interest-bearing account."

Mr. Knowles: "No, I don't think that's true. I'm not a banker, but I understand that with the Landlord Tenant Act, being silent on who has the ownership of that interest in a savings account, the Attorney General has written an opinion that it belongs to the tenant unless there is an agreement in writing to the contrary."

#### MOTION

Mr. Kuehnle moved that further consideration of the Senate amendments to House Bill No. 796 be deferred until later in the day.

Mr. Thompson spoke in favor of the motion, and it was carried.

#### SENATE AMENDMENT TO HOUSE BILL

May 20, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 184 with the following amendment:

On page 1, line 8 of the engrossed bill, being line 9 of the printed bill, after "for" strike all the material down through "Enrollment" on page 2, line 4 of the engrossed bill, being line 5 of the printed bill, and insert "the state's older residents."

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows:



Notwithstanding any other provision of this chapter or the laws of this state and consistent with the regulations and procedures established by the boards of trustees of the state colleges, the boards of regents of the state universities and the state board for community college education each institution may for Washington residents who are sixty years of age or older:

(1) Waive, in whole or in part, the tuition, operating and services and activities fees for students who qualify under this section and who are enrolled for credit, and

(2) Waive the tuition, operating and services and activities fees for students who qualify under this section, but charge a nominal fee not to exceed five dollars per quarter, or semester, as the case may be, for such students who are enrolled on an audit basis: PROVIDED, That residents enrolling with fee exemptions under this section shall register for not more than two quarter or semester courses at one time on a space available basis, and no new course sections shall be created as a direct result of such registration: PROVIDED FURTHER, That such waivers shall not be available to students who plan to use the course credits gained thereby for increasing credentials or salary schedule increases: PROVIDED FURTHER, That enrollment"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Maxie, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 184.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 184 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 184 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 78; nays, 8; not voting, 12.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Greengo, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Deccio, Flanagan, Gilleland, Haley, Hansen, Jueling, Newhouse.

Not voting: Representatives Blair, Boldt, Bond, Chatalas, Conner, Gaspard, Leckenby, Luders, Lysen, Peterson, Randall, Savage.

Engrossed Substitute House Bill No. 184 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

May 20, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 619 with the following amendment:

On line 6 following "NEW SECTION," strike the remainder of the bill and insert the following:

"Section 1. The Legislature recognizes the invaluable services performed by the community alcohol centers throughout the state, which centers would view making available such educational materials as referred to in section 2 of this act as a part of their community outreach education and preventive program and for which material no fees would be charged.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW a new section to read as follows:

The boards of regents of the state's universities, the boards of trustees of the respective state colleges, the boards of trustees of the respective community colleges, with the cooperation of the state board for community college education, shall make available at some place of prominence within the premises of each campus educational materials on the abuses of alcohol in particular and the illnesses consequent therefrom in general: PROVIDED, That such materials shall be obtained from public or private organizations at no cost to the state."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Bagnariol moved that the House do concur in the Senate amendment to Engrossed House Bill No. 619.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Consistent with the action we have taken last week with liquor on campus by way of banquet permits only, how will this bill be implemented? For example, if organizations obtain a banquet permit to hold a party in the political science faculty room or somewhere, how are they supposed to get access to these materials which show them the illnesses consequent to abuse of alcohol?"

Mr. Bagnariol: "This act basically requires the campuses who do serve alcohol to provide, at no cost to the student or to the state, material talking about the potential problems of alcohol. Those materials are available through numerous nonprofit organizations who are involved in this area, so by the action taken last week, the only alcohol being served on campus is based on a banquet permit. I would suggest that the only way they could react to this kind of legislation is make this material available regardless."

Representatives Maxie and Clemente spoke in favor of the motion to concur, and Representative Douthwaite spoke against it.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 619 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 619 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 81; nays, 7; not voting, 10.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Haley, Hawkins, Kuehnl, Newhouse, Schumaker, Whiteside.

Not voting: Representatives Blair, Boldt, Bond, Chatalas, Conner, Jastad, Leckenby, Luders, Peterson, Randall.

Engrossed House Bill No. 619 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 21, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 340 with the following amendments:

On page 1, line 11 after "mail" insert ", return receipt requested,"

On page 1, line 12 after "regents" insert "and if such certified letter be returned because it could not be delivered to the addressee, public notice shall be published by the University of Washington once each week during two successive weeks in a daily newspaper circulating in the city of Seattle and the county of King describing the unclaimed documents or materials, giving the name of the reputed owner thereof and requesting all persons who may have any knowledge of the whereabouts of such owner to contact the office of the museum of the University of Washington: PROVIDED, HOWEVER, That more than one item may be described in each of such notices"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Charnley, the House concurred in the Senate amendments to Substitute House Bill No. 340.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 340 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 340 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jueling, Kalich, Kilbury, King, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Boldt, Bond, Gaspard, Hurley G. S., Jastad, Knowles, Leckenby, Luders, Peterson.

Substitute House Bill No. 340 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 21, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 267 with the following amendments:

Beginning on line 8 immediately following the enacting clause, insert a new section as follows:

"Section 1. Section 5, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.050 are each amended to read as follows:

(1) The original acquisition of a facility by the holder of a certificate shall be exempt from sales tax imposed by chapter 82.08 RCW and use tax imposed by chapter 82.12 RCW when the due date for payment of such taxes is subsequent to the effective date of the certificate: PROVIDED, That the exemption of this section shall not apply to servicing, maintenance, repairs, and replacements of parts after a facility is complete and placed in operation. Sales and use taxes paid by a holder of a certificate with respect to expenditures incurred for acquisition of a facility prior to the issuance of a certificate covering such facility may be claimed as a tax credit as provided in subsection (2) of this section.

(2) Subsequent to July 30, 1967 the holder of the certificate may, in lieu of accepting the tax exemption provided for in this section, elect to take a tax credit in the total amount of the exemption for the facility covered by such certificate against any future taxes to be paid pursuant to chapters 82.04, 82.12 and 82.16 RCW: PROVIDED, That on and after July 30, 1967 if such person elects to take a tax credit for a facility under this subsection he may not take further credit under RCW 82.04.435."

Re-number remaining sections consecutively.

On page 2, line 35 after "apply" and before "to" insert "also"

On page 3, line 2 after "procedures" strike "as shall be"

On page 3, line 3 after "regulations" strike the period and insert "as may be necessary to accommodate a claim for exemption or credit."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Randall, the House concurred in the Senate amendments to House Bill No. 267.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of House Bill No. 267 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 267 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 6; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeburger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Charette, Clemente, Ehlers, Moon, Williams, and Mr. Speaker.

Not voting: Representatives Blair, Boldt, Bond, Haley, Knowles, Leckenby, Luders, Peterson.

House Bill No. 267 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SPEAKER'S RULING

The Speaker: "Representative Haley, in regard to your point of order on Engrossed Substitute House Bill No. 198, the Speaker finds that your point is well taken and the Senate amendments are beyond the scope and object. Therefore we will refer the bill to Committee on Financial Institutions."

## SENATE AMENDMENTS TO HOUSE BILL

May 21, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 413 with the following amendments:

On line 3 of the title after the semicolon and before "and" insert "adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; amending section 1, Laws of 1973, amending section 1, chapter 52, Laws of 1973 and RCW 28A.58.115;" and in line 3 of the title strike the period and insert ";" and declaring an emergency."

On page 2, line 12 after "sex" and before the semicolon insert a period and strike all the remaining material down to and including the period on line 14.

On page 2, line 30 after "distribute" and before "to" strike "annually" and insert "every three years"

On page 2, line 35 after "sex" and before the period insert ": PROVIDED, That separation is permitted within any class during sessions on sex education or gym classes"

On page 3, add new sections following section 7 as follows:

**"NEW SECTION. Sec. 8.** There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The board of directors of any common school district may authorize local schools to establish and collect a fee from students and nonstudents as a condition to their attendance at any optional noncredit extra-curricular event of the school which is of a cultural, social, recreational or athletic nature: PROVIDED, That an optional comprehensive fee may be established and collected for any combination of such events, or, in the alternative, a fee may be established and collected as a condition to attendance at any single event. Fees collected pursuant to this section shall be deposited in the associated student body program fund of the school district, and may be expended to defray the costs of optional noncredit extra-curricular events of such a cultural, social, recreational or athletic nature, or to otherwise support the activities and programs of the local school collecting the fee.

**NEW SECTION. Sec. 9.** There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

There shall be created in the county treasury a fund to be known as the associated student body fund of the particular school depositing with the treasurer funds therefor, to be used as an operating fund by any school having an associated student body as defined in RCW 28A.58.115. All moneys generated through the programs and activities of the associated student body shall be deposited in the associated student body program fund. Such funds may be invested for the sole benefit of the associated student body program fund in items enumerated in RCW 28A.58.440 and the county treasurer may assess a fee as provided therein. Disbursements from such fund shall be at the request of the local school, and with the approval, of the board of directors of the school district, and shall be by warrant as provided in chapter 28A.66 RCW: PROVIDED, That in no case shall such warrants be issued in an amount greater than the funds on deposit with the county treasurer in the associated student body program fund. To facilitate the payment of minor or unexpected obligations, or obligations which require immediate payment, an imprest bank account or accounts may be created and replenished from the associated student body program fund.

Sec. 10. Section 1, chapter 52, Laws of 1973 and RCW 28A.58.115 are each amended to read as follows:

As used in this section, an "associated student body" means the formal organization of the students of a school formed with the approval of and regulation by the board of directors of the school district in conformity to the rules and regulations promulgated by the superintendent of public instruction.

The superintendent of public instruction, after consultation with appropriate school organizations and students, shall promulgate rules and regulations to designate the powers and responsibilities of the boards of directors of the school districts of the state of Washington in developing efficient administration, management, and control of moneys, records, and reports of the associated student bodies organized in the public schools of the state.

The application of the provisions of this section is suspended until July 1, 1976.

NEW SECTION. Sec. 11. If any provision of this 1975 amendatory act, or its application to any person or circumstances is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. Section 1 of this 1975 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and existing public institutions, and shall take effect July 1, 1975."

Strike the remaining section.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mrs. Wojahn moved that the House do concur in the Senate amendments to page 2, line 12; page 2, line 30 and page 2, line 35, and do not concur in the Senate amendments to the title and to page 3 adding new sections.

#### POINT OF ORDER

Mr. Polk: "On the sections 8, 9 and 10 of the Senate amendments, I raise the question of scope and object, under House Rule 33."

#### SPEAKER'S RULING

The Speaker: "I think possibly sections 8, 9 and 10 might well be outside the scope, but it is my understanding that the motion before us is to not concur in those. I would think that as far as the amendments in which the House is concurring, that it would be within the scope and object. If the House concurs with those sections, then I think it would be beyond scope and object and the bill would be referred to committee."

#### MOTIONS

On motion of Mr. Barnes, the question was divided to consider each amendment separately.

Mr. Hansey moved that the House do concur in the Senate amendments to the title and to page 3, adding new sections.

#### POINT OF ORDER

Mr. Polk: "The point of order is the scope and object of sections 8, 9 and 10 that are on the Senate amendment to page 3."

#### SPEAKER'S RULING

The Speaker: "Your point is well taken, Representative Polk. The bill will be rereferred to Committee on Education."

The Speaker called on Mr. O'Brien to preside.

#### SENATE AMENDMENTS TO HOUSE BILL

May 21, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 587 with the following amendments:

On page 1, beginning on line 1 after the semicolon strike all of the material down to and including "(uncodified)" on line 2 and insert "creating new sections"

Beginning on page 1 of the engrossed and printed bill strike all of sections 1, 2, 3, 4 and 5 and insert:

"NEW SECTION. Section 1. The legislature hereby recognizes that the transportation corridor in the vicinity of West Seattle is one of the most heavily traveled areas in the state of Washington; and that improved transportation and access facilities are vital to West Seattle and the future industrial and maritime development of the lower Duwamish waterway; and that the legislature recognizes the need to coordinate the funding and planning of such an addition to our state's transportation system.

**NEW SECTION.** Sec. 2. The senate and house standing committees on transportation and utilities shall undertake a review of previous plans, designs, studies, proposals, hearings, and any manner of pertinent information concerning the West Seattle access development project, major arterials in the South Seattle state route number 509 corridor, other major city and county arterials in the West Seattle area extending southward, including crossings of the Duwamish river in this vicinity. Such review shall commence no later than July 1, 1975, and the committees, in concert with persons, jurisdictions, and agencies, including but not limited to the chief executive officer of the department of highways, the port of Seattle, the department of commerce and economic development, the municipality of metropolitan Seattle, and the mayor of the city of Seattle, or their designees, affected by the future development of the project shall make such recommendations for the future disposition of the project as are deemed economically feasible. The committees shall report their recommendations to the legislature at the next regular or extraordinary session which convenes after January 1, 1976.

For the purpose of carrying out the study, there is appropriated to the senate and house transportation and utilities committees from the motor vehicle fund the sum of fifty thousand dollars, or so much thereof as may be necessary.

**NEW SECTION.** Sec. 3. Urban arterial trust funds initially authorized by the state urban arterial board in the 1967-69 biennium for specific projects in cities over 300,000 population, as last determined by the office of program planning and fiscal management, shall remain obligated to such projects for the period through June 30, 1977 unless such project is earlier withdrawn or abandoned by the sponsoring city. This continued obligation of urban arterial trust funds shall be terminated for any project if the sponsoring city earlier provides written notice of withdrawal or abandonment of the project to the urban arterial board or if the city acts to expend any other funds, exclusive of the required matching funds, which have heretofore been allocated or set aside to pay a part of the costs of such project.

After the effective date of this 1975 amendatory act, no additional urban arterial trust funds shall be expended for conceptual or feasibility studies of any project initially authorized prior to June 30, 1969 in a city of over 300,000 population, but such limitation shall not apply to the cost of preparing final plans, specifications and estimates and other contract documents required to advertise the project for competitive bids for its construction."

Renumber the remaining section consecutively.  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTIONS

Mr. Perry moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 587.

Mr. Newhouse moved that the House do concur in the amendments.

Mr. Newhouse spoke in favor of the motion to concur, and Representatives Perry and Ceccarelli spoke against it.

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated that, the motion to concur in the Senate amendments having lost, the House would request the Senate to recede therefrom.

#### SENATE AMENDMENTS TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 2 with the following amendments:

On page 2, line 3 after "estates" insert ", except agricultural leaseholds executed pursuant to RCW 79.01.096"

On page 2, line 4 strike "((fifteen)) five" and insert "fifteen"

On page 2, line 8 add a new subsection as follows:

"(6) Evidences of debt secured by first mortgages or deeds of trust upon agricultural leasehold estates executed pursuant to RCW 79.01.096, otherwise unencumbered, and if the mortgagee is entitled to be subrogated to all the rights under the leasehold."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendments to House Bill No. 2.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Boldt, Bond, Leckenby, Luders, Peterson, Randall.

House Bill No. 2 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The House resumed consideration of the Senate amendments to HOUSE BILL NO. 796.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Thompson that the House do concur in the Senate amendments to page 1, line 9 and to page 1, line 15; and do not concur in the amendments to page 1, line 10; page 1, lines 9, 15 and 16; and page 1, line 21 and ask the Senate to recede therefrom.

Representatives Thompson and Kuehnle spoke in favor of the motion, and it was carried.

## SENATE AMENDMENT TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 67 with the following amendment:

On page 2, line 16 before the comma strike "contested" and insert "on the ballot" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Haussler, the House concurred in the Senate amendment to Substitute House Bill No. 67.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 67 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 67 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Patterson.

Not voting: Representatives Blair, Boldt, Bond, Leckenby, Luders, Peterson, Randall.

Substitute House Bill No. 67 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 22, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 126 with the following amendments:

In line 1 of the title after "to crimes;" strike all of the material down to and including "penalties." on line 6 and insert "adding a new section to chapter 9.68 RCW; and prescribing a penalty."

Strike all material after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 9.68 RCW a new section to read as follows:

(1) A person is guilty of unlawful display of sexually explicit material if he knowingly exhibits such material on a viewing screen so that the sexually explicit material is easily visible from a public thoroughfare, park or playground or from one or more family dwelling units.

(2) 'Sexually explicit material' as that term is used in this section means any pictorial material displaying direct physical stimulation of unclothed genitals, masturbation, sodomy (i. e. bestiality or oral or anal intercourse), flagellation or torture in the context of a sexual relationship, or emphasizing the depiction of adult human genitals: PROVIDED HOWEVER, That works of art or of anthropological significance shall not be deemed to be within the foregoing definition.

(3) Any person who violates subsection (1) of this section shall be guilty of a misdemeanor." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mrs. Hayner moved that the House do concur in the Senate amendments to Substitute House Bill No. 126.

Representatives Hayner and May spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to final passage of Substitute House Bill No. 126 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 126 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 6; not voting, 10.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Lee, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Savage, Schumaker, Seeburger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cochrane, Douthwaite, Eikenberry, Haley, Hanna, Hawkins.

Not voting: Representatives Bauer, Blair, Boldt, Bond, Leckenby, Luders, Maxie, Peterson, Randall, Wojahn.

Substitute House Bill No. 126 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 212 with the following amendments:

On page 11, section (3), line 4 insert a new subsection as follows:

"(22) 'Annual fund-raising event' means a fund raising event conducted during any three consecutive days and not more than once in any calendar year by a bona fide charitable or nonprofit organization as defined in subsection (3) of this section, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a permit therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles: PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings and for the purchase cost of prizes given as winnings do not exceed five thousand dollars; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling



in respect to the device; (c) only bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; and (d) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted."

Remember the remaining subsection.

On page 12, section 2, line 3, after "gambling" and before "conducted" insert "or annual fund raising events"

On page 12, section 2, line 8, after "gambling" and before "without" insert "or annual fund raising events"

On page 12, section 2, line 9, after "gambling" strike "is" and insert "or annual fund raising events are"

On page 13, section 2, line 14, after "pools" and before "when" strike "or small scale gambling" and insert ", small scale gambling or annual fund raising events"

On page 20, line 12 of the printed bill, add new sections following section 6 as follows:

"Sec. 7. Section 13, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.130 are each amended to read as follows:

The premises and paraphernalia, and all the books and records of any person, association or organization conducting gambling activities authorized under RCW 9.46.030 and any person, association or organization receiving profits therefrom or having any interest therein shall be subject to inspection and audit at any reasonable time, with or without notice, upon demand, by the commission or its designee, the attorney general or his designee, the chief of the Washington state patrol or his designee or the prosecuting attorney, sheriff or director of public safety or their designees of the county wherein located, or the chief of police or his designee of any city or town in which said organization is located, for the purpose of determining compliance or noncompliance with the provisions of this chapter and any rules or regulations adopted pursuant thereto.

The ~~((department of revenue))~~ commission shall be provided at such reasonable intervals as the ~~((department))~~ commission shall determine with a report, under oath, detailing all receipts and disbursements in connection with such gambling activities together with such other reasonable information as required in order to determine whether such activities comply with the purposes of this chapter or any local ordinances relating thereto. ~~((Upon request, copies of such reports shall be provided by the department of revenue to any law enforcement agency.))~~

Sec. 8. Section 14, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.140 are each amended to read as follows:

For the purpose of obtaining information concerning any matter relating to the administration or enforcement of this chapter, the commission, or any person appointed by it in writing for the purpose, may inspect the books, documents and records of any person lending money to or in any manner financing any license holder or applicant for a license or receiving any income or profits from the use of such license for the purpose of determining compliance or noncompliance with the provisions of this chapter or the rules and regulations adopted pursuant thereto. The commission, or its designee, may conduct hearings, administer oaths, take depositions, compel the attendance of witnesses and issue subpoenas pursuant to RCW 34.04.105. The commission may appoint hearing officers to conduct hearings respecting the suspension, revocation or denial of licenses, who may administer oaths, admit or deny admission of evidence, compel the attendance of witnesses, issue subpoenas, issue orders and exercise all other powers and perform all other functions set out in RCW 34.04.090 (6) and (8), 34.04.100 and 34.04.105. The salaries and expenses of such hearing officers may be paid from any revenues available to the commission.

Sec. 9. Section 16, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.160 are each amended to read as follows:

Any person who conducts ~~((gambling activities))~~ any activity for which a license is required by this chapter, or by rule of the commission, without ~~((a))~~ the required license issued by the commission shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars, or both. If any corporation conducts any ~~((gambling))~~ activity for which a license is required by this chapter, or by rule of the commission, without ~~((a))~~ the required license issued by the commission, it may be punished by forfeiture of its corporate charter, in addition to the other penalties set forth in this section.

Sec. 10. Section 21, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 9, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.210 are each amended to read as follows:

(1) It shall be the duty of and all peace officers or law enforcement officers or law enforcement agencies within this state are hereby empowered to investigate, and enforce and prosecute all violations of this chapter. Law enforcement agencies of cities and counties shall investigate and report to the commission all violations of the provisions of this chapter and of the rules of the commission found by them and shall assist the commission in any of its investigations and proceedings respecting any such violations. Such law enforcement agencies shall not be deemed agents of the commission.

(2) In addition to its other powers and duties, the commission shall have the power to enforce the penal provisions of chapter 218, Laws of 1973 1st ex. sess. and as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities and the manufacturing, importation, transportation, distribution, possession and sale of equipment or paraphernalia used or for use in

connection therewith. The director, both assistant directors and each of the investigators and inspectors assigned by the department of motor vehicles to the commission shall have the power, under the supervision of the commission, to enforce the penal provisions of chapter 218, Laws of 1973 1st ex. sess. and as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities and the manufacturing, importation, transportation, distribution, possession and sale of equipment or paraphernalia used or for use in connection therewith. They shall have the power and authority to apply for and execute all warrants and serve process of law issued by the courts in enforcing the penal provisions of chapter 218, Laws of 1973 1st ex. sess. and as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities and the manufacturing, importation, transportation, distribution, possession and sale of equipment or paraphernalia used or for use in connection therewith. They shall have the power to arrest without a warrant, any person or persons found in the act of violating any of the penal provisions of chapter 218, Laws of 1973 1st ex. sess. and as it may be amended, and the penal laws of this state relating to the conduct of or participation in gambling activities and the manufacturing, importation, transportation, distribution, possession and sale of equipment or paraphernalia used or for use in connection therewith. To the extent set forth above, the commission shall be a law enforcement agency of this state with the power to investigate for violations of and to enforce the provisions of this chapter, as now law or hereafter amended, and to obtain information from and provide information to all other law enforcement agencies.

**NEW SECTION. Sec. 11.** There is added to chapter 9.46 RCW a new section to read as follows:

Any county, city or town which collects a tax on gambling activities authorized pursuant to RCW 9.46.110 shall use the revenue from such tax primarily for the purpose of enforcement of the provisions of this chapter by the county, city or town law enforcement agency.

**NEW SECTION. Sec. 12.** There is added to chapter 9.46 RCW a new section to read as follows:

The commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein:

- (1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control;
- (2) Knowingly causes, aids, abets, or conspires with another to cause, any person to violate any of the laws of this state or the rules of the commission;
- (3) Has obtained a license or permit by fraud, misrepresentation, concealment, or through inadvertence or mistake;
- (4) Has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to, forgery, larceny, extortion, conspiracy to defraud, willful failure to make required payments or reports to a governmental agency at any level, or filing false reports therewith, or of any similar offense or offenses, or of any crime, whether a felony or misdemeanor involving any gambling activity or involving moral turpitude;
- (5) Denies the commission or its authorized representatives, including authorized local law enforcement agencies, access to any place where a licensed activity is conducted or who fails promptly to produce for inspection or audit any book, record, document or item required by law or commission rule;
- (6) Shall fail to display its license on the premises where the licensed activity is conducted at all times during the operation of the licensed activity;
- (7) Makes a misrepresentation of, or fails to disclose, a material fact to the commission.

For the purpose of reviewing any application for a license and for considering the denial, suspension or revocation of any license the gambling commission may consider any prior criminal conduct of the applicant and the provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to such cases."

Renumber the remaining sections consecutively.

On page 20, line 23 of the printed bill, after "gambling" and before "which" insert "and annual fund raising events"

In line 13 of the title after "RCW 9.46.120;" and before "adding" insert "amending section 13, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.130; amending section 14, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.140; amending section 16, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.160; amending section 21, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 9, chapter 155, Laws of 1974 ex. sess. and RCW 9.46.210."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Warnke moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 212.

Mr. Warnke spoke in favor of the motion.



## MOTION

Mrs. Wojahn moved that the motion by Mr. Martinis be laid on the table.

## POINT OF ORDER

Mr. Ceccarelli: "My point of order is that on a vote to reconsider, a tabling motion is out of order and I refer you to Reed's Rule 127."

## MOTION

Mrs. Wojahn moved that the House now adjourn.

## POINT OF ORDER

Mr. Ceccarelli: "It occurs to me that I may have quoted the wrong rule number in my haste, but I do find in Reed's that a motion to reconsider is of higher rank and therefore is above laying on the table."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to adjourn.

The motion was lost.

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Mr. Ceccarelli, you referred to Reed's Rule 127; if you will review Reed's Rule 211, and there is some precedence for this in the House of Representatives, that the motion to lay the motion to reconsider on the table is in order and we have exercised this motion on occasion in the past. The question before you is the motion by Representative Wojahn to lay Representative Martinis' motion to reconsider on the table."

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Martinis to reconsider the vote by which Reengrossed Senate Bill No. 2306 failed to pass the House.

Mrs. Valle demanded an oral roll call and the demand was sustained.

Mr. Tilly spoke in favor of the motion.

Mr. Hansey demanded a Call of the House and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Blair, Boldt, Bond, Greengo, Leckenby, Luders, Peterson and Wilson.

## MOTION

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Martinis that the House reconsider the vote by which Reengrossed Senate Bill No. 2306 failed to pass the House.

Representatives Barnes and Ceccarelli spoke in favor of the motion, and Representatives Hurley (George), Wojahn, King and Valle spoke against it.

## ROLL CALL

The Clerk called the roll on the motion by Representative Martinis to reconsider the vote by which Reengrossed Senate Bill No. 2306 failed to pass the House, and the motion was carried by the following vote: Yeas, 55; nays, 35; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Berentson, Brown, Ceccarelli, Chandler, Chatalas, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley M., Jastad, Kalich, Kuehnle, Matthews, May, McCormick, Moreau, Nelson, Newhouse, North, Pardini, Paris, Patterson, Polk, Randall, Schumaker, Shinpoch, Smith R., Sommers, Thompson, Warnke, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Charette, Charnley, Clemente, Cochrane, Ehlers, Gaspard, Haley, Hendricks, Hurley G. S., Jueling, Kilbury, King, Knowles, Laughlin, Lee, Lysen,

Martinis, Maxie, McKibbin, Moon, O'Brien, Parker, Perry, Savage, Seeberger, Sherman, Smith E. P., Tilly, Valle, Whiteside, Williams, Wojahn.

Not voting: Representatives Blair, Boldt, Bond, Greengo, Leckenby, Luders, Peterson, Wilson.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of final passage of Reengrossed Senate Bill No. 2306.

Mrs. Wojahn demanded an oral roll call and the demand was sustained.

Representatives Pardini, Conner and Curtis spoke in favor of passage of the bill, and Representatives Moon and Valle spoke against it.

Mr. Newhouse demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of Reengrossed Senate Bill No. 2306, and the bill passed the House by the following vote: Yeas, 51; nays, 39; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Brown, Ceccarelli, Chatalas, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gilleland, Hanna, Hansen, Hawkins, Hayner, Hurley M., Kalich, Kuehnle, Laughlin, Matthews, May, McCormick, Moreau, Nelson, Newhouse, North, Pardini, Paris, Patterson, Polk, Randall, Schumaker, Sherman, Shipoch, Smith R., Sommers, Thompson, Warnke, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Becker, Bender, Berentson, Chandler, Charette, Charnley, Clemente, Cochrane, Deccio, Gaines, Gaspard, Haley, Hansey, Haussler, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Knowles, Lee, Lysen, Martinis, Maxie, McKibbin, Moon, O'Brien, Parker, Perry, Savage, Seeberger, Smith E. P., Tilly, Valle, Whiteside, Williams, Wojahn.

Not voting: Representatives Blair, Boldt, Bond, Greengo, Leckenby, Luders, Peterson, Wilson.

Reengrossed Senate Bill No. 2306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SENATE BILL NO. 2032,  
 SENATE BILL NO. 2109,  
 SENATE BILL NO. 2124,  
 SENATE BILL NO. 2126,  
 SENATE BILL NO. 2194,  
 SENATE BILL NO. 2227,  
 SENATE BILL NO. 2309,  
 SENATE BILL NO. 2332,  
 SENATE BILL NO. 2484,  
 SUBSTITUTE SENATE BILL NO. 2526,  
 SENATE BILL NO. 2607,  
 SUBSTITUTE SENATE BILL NO. 2654,  
 SUBSTITUTE SENATE BILL NO. 2725,  
 SENATE BILL NO. 2861,  
 SENATE BILL NO. 2904,  
 SENATE BILL NO. 2910.

#### MOTIONS

On motion of Mr. Charette, HOUSE BILL NO. 1174 was rereferred from Committee on Rules to Committee on Agriculture.

On motion of Mr. Charette, the House adjourned until 10:00 a.m. Tuesday, May 27, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 27, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Blair, Bond, Jueling, Kilbury, Leckenby, Peterson and Wojahn, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Elizabeth Burton and Greg Anderson. Prayer was offered by Father Dennis Robb of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## SENATE AMENDMENT TO HOUSE BILL

May 22, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 693 with the following amendment:

On page 1, line 24 after "done" insert "PROVIDED, HOWEVER, That if the county official newspaper is a newspaper of general circulation covering at least twenty percent of the residences in that part of the county in which such work is to be done publication of an advertisement of the applicable specifications in the county official newspaper only shall be sufficient" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mrs. North moved that the House do not concur in the Senate amendment to Substitute House Bill No. 693 and ask the Senate to recede therefrom.

Representatives North and Berentson spoke in favor of the motion, and it was carried.

## MESSAGE FROM THE SENATE

May 22, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE BILL NO. 171, and has passed the bill as amended by the Free Conference Committee, and said bill together with the report of the Free Conference Committee, is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

May 14, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 171, prescribing motor vehicle gross weight limits, have had the same under consideration and we recommend that the bill be amended as follows:

On page 2, line 27 after "limitations" and before the period insert "and it is not reasonable for economic or operational considerations to transport such excess weights by rail or water for any substantial distance of the total mileage applied for"

Signed by Senators Henry, Guess, Beck; Representatives Hansen, Douthwaite, Patterson.

## MOTION

On motion of Mr. Douthwaite the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of House Bill No. 171 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 171 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 83; nays, 2; not voting, 13.

Voting yea: Representatives Adams, Ameri, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Williams.

Not voting: Representatives Blair, Bond, Eng, Hansen, Jueling, Kilbury, Leckenby, Lee, Moreau, Perry, Peterson, Smith R., Wojahn.

House Bill No. 171 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

May 22, 1975

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 32, and asks the House for a conference thereon, and the President has appointed as members of said conference committee: Senators Ridder, Morrison, Wilson.  
Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Gaspard, the House granted the request of the Senate for a conference on Engrossed Substitute House Bill No. 32.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Bond, Jueling, Kilbury, Leckenby, Peterson, and Wojahn, who were excused.

MESSAGES FROM THE GOVERNOR

May 26, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 26, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 806: Prescribing a change in assessing inspection fees for winter sports activity conveyances.

HOUSE BILL NO. 1050: Making emergency appropriations for grain inspections.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

May 27, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 26, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 295: Providing for, and regulation of, bank conservators.

SUBSTITUTE HOUSE BILL NO. 1091: Authorizing general obligation bond issue of state for University of Washington hospital facilities in lieu of university revenue bonds.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Parker, Savage and Matthews as conferees on Engrossed Substitute House Bill No. 32.

#### SENATE AMENDMENTS TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Speaker has passed ENGROSSED HOUSE BILL NO. 105 with the following amendments:

On page 1, line 26 after "and" strike the remainder of the sentence and insert "the division of motor vehicle transportation service"

On page 3, line 15 after "purposes" strike the material down through "receipts" on line 16

On page 3, line 35 after "appropriated" strike "or otherwise provided"

On page 4, line 17 after "of" and before "the commissioner" insert "the governor,"

On page 4, line 22 after "The" and before "commissioner" insert "governor, the"

On page 5, strike all of line 8 and insert "appointment of all personnel, except the supervisor, shall"

On page 9, strike all of section 15 and renumber the remaining sections consecutively and correct internal references accordingly.

On page 9, line 14 after "board," and before "a" insert "an elected state officer or his delegate or"

On page 11, after section 19 insert an additional section to read as follows:

"NEW SECTION. Sec. 20. (1) There is hereby appropriated to the department of general administration for the biennium ending June 30, 1975, the sum of \$17,266 from the motor transport account in the general fund for purposes of preparing to provide the motor vehicle transportation services authorized by this act.

(2) On the effective date of this act, the department of highways or its statutory successor shall transfer \$17,266 from the portion of the highway equipment fund known as 'District No. 8 (motor pool)' to the motor transportation account in the general fund."

Renumber the following sections consecutively and correct the internal references accordingly, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Shipoch, the House concurred in the Senate amendments to Engrossed House Bill No. 105.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 105 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 105 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien.



Pardini, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Deccio, Ehlers, Flanagan, Juelling, Kilbury, Kuehnle, Leckenby, Paris, Peterson, Wojahn.

Engrossed House Bill No. 105 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 467 with the following amendments:

On line 2 of the title after "RCW 29.85.270" and before the period insert "; amending section 29.85.280 of chapter 9, Laws of 1965 and RCW 29.85.280; and prescribing penalties"

On page 1, beginning on line 19 of the engrossed bill, being line 6 of the House amendment to page 1, line 17, strike "of any other candidate picture" and insert "picture of the same candidate"

On page 1, section 1, after line 23 add a new section as follows:

"Sec. 2. Section 29.85.280 of chapter 9, Laws of 1965 and RCW 29.85.280 are each amended to read as follows:

Any violation of RCW 29.85.270 shall constitute a gross misdemeanor and shall be subject to a fine of not more than one thousand dollars or imprisonment for not more than one year, or both: PROVIDED, That a violation of the provisions of RCW 29.85.270 relating to campaign advertising pictures shall constitute a misdemeanor and be punished accordingly." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. McKibbin, the House concurred in the Senate amendments to Engrossed House Bill No. 467.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 467 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 467 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 74; nays, 15; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Chandler, Curtis, Freeman, Gilleland, Haley, Hayner, Kuehnle, Nelson, Pardini, Patterson, Polk, Schumaker, Wilson.

Not voting: Representatives Becker, Blair, Bond, Juelling, Kilbury, Leckenby, Maxie, Peterson, Wojahn.

Engrossed House Bill No. 467 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 479 with the following amendment:

On page 1, line 19 after "degree" and before the period insert "PROVIDED, HOWEVER, That if there are any blind jurors on a jury panel, prior to impaneling the jury in any individual case, the trial court shall advise trial counsel of such fact and shall hold a pretrial hearing to determine whether counsel are willing to try their cause with a jury having as one of its members a blind person. If counsel representing any one of the parties before the court in such a case at the pretrial hearing objects to having the cause heard with a blind juror participating, the judge shall thereupon excuse all blind jurors from participation of such trial" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Parker moved that the House do not concur in the Senate amendment to Engrossed Substitute House Bill No. 479, and ask the Senate to recede therefrom.

Representatives Parker, Knowles and Charette spoke in favor of the motion, and Mr. Newhouse spoke against it.

The motion was carried.

#### SENATE AMENDMENT TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 762 with the following amendment:

On page 3, line 3 after "misdemeanor" insert "and subject to a fine of not less than twenty-five dollars or more than seventy-five dollars" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mrs. Hurley (Margaret) moved that the House refuse to concur in the Senate amendment to Engrossed Substitute House Bill No. 479, and ask the Senate to recede therefrom.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Martinis: "Would it be proper to ask the Senate to not recede in this Senate amendment and to ask for a conference thereon? I have detected a considerable defect in the bill and possibly at this point in time it may be the only possible way of correcting this defect."

The Speaker (Mr. O'Brien presiding): "It's possible to amend the motion to ask for an immediate conference. It all depends, of course, to the Senate's reaction on the motion."

#### MOTION

Mr. Martinis moved that the motion by Mrs. Hurley (Margaret) be amended to ask the Senate for a conference thereon.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mrs. Hurley (Margaret).

Mrs. Hurley: "Would you mind telling the members of the House what defect you have found?"

Mr. Martinis: "The defect that I have found is in section 2. Section 2 reads, 'The fee for the issuance of the special winter recreational area parking permits for each winter season commencing on October of each year shall be five dollars annually,' and here is the defect, 'unless the person making application therefor is also the owner of a snowmobile registered pursuant to chapter 46.10 RCW.' Ladies and gentlemen, what this really says is that you as skiers would have to pay for your recreational parking, but in certain areas of the state they have snowmobile areas and if you own a registered snowmobile, that parking area would be cleared for your convenience and your convenience only. You wouldn't have to pay one red cent if you have a registered snowmobile. But if you are a skier, a hiker, a snowshoer, a crosscountry skier, you would have to pay five dollars. This is a boondoggle."

Mrs. Hurley (Margaret) spoke against the motion to amend her motion, and Mr. Martinis again spoke in favor of it.

## POINT OF PARLIAMENTARY INQUIRY

Mrs. North: "We are only talking about the amendment. Would the amendment put the rest of the bill in conference?"

The Speaker (Mr. O'Brien presiding): "If the amendment to the motion is carried, you are requesting the Senate to grant a conference. They can either grant it or reject it. All the House has done is take this action requesting a conference. The original motion was made to ask the Senate to recede from its amendment and now you have a choice, either ask for a conference or ask that they recede. The question before you now is the amendment to the motion to ask the Senate for a conference."

The motion by Mr. Martinis amending the motion by Mrs. Hurley to ask for a conference on Substitute House Bill No. 762 was carried.

The motion by Mrs. Hurley (Margaret) as amended was carried.

## SENATE AMENDMENT TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 774 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to Title 18 RCW a new section to read as follows:

In this chapter, unless the context otherwise requires, the following meanings shall apply:

- (1) 'Board' means the state massage examining board;
- (2) 'Massage' means the treatment of the superficial parts of the body, with or without the aid of soaps, oils, or lotions, by rubbing, touching, stroking, tapping, and kneading, provided no attempt be made to adjust or manipulate the articulations of the spine;
- (3) 'Massage operator' means a person engaged in the practice of massage;
- (4) 'Director' means the director of the department of motor vehicles.

NEW SECTION. Sec. 2. There is added to Title 18 RCW a new section to read as follows:

The state massage examining board is hereby created. The board shall consist of three members who shall be appointed by the governor for a term of three years each. Each member shall be a resident of this state and shall have not less than three years experience in the practice of massage immediately preceding their appointment and shall be actively engaged in the practice of massage during their incumbency. Within thirty days after the effective date of this 1975 act, three members shall be appointed by the governor to serve one, two, and three years respectively. In the event that a member cannot complete his term of office, another appointment shall be made by the governor in accordance with the procedures stated in this section to fill the remainder of the term. No member may serve more than two successive terms and shall qualify and receive a license pursuant to section 7 of this 1975 act within ninety days of their appointment.

Subject to the approval of the director, the board shall have the power to promulgate rules and regulations not inconsistent with the law and which may be necessary for the performance of its duties. It shall be the duty of the board to pass upon the qualifications of applicants for licenses, prepare the necessary examination questions and practical demonstrations, conduct the examinations from time to time in such places as the director designates, and to determine the applicants who successfully passed the examination, and in turn notify the director of such determinations.

Each member of the board shall receive as compensation twenty-five dollars for each day's attendance at meetings of the board. Members shall be reimbursed for necessary traveling expenses incurred in the actual performance of their duties, as provided for state officials and employees generally in chapter 43.03 RCW.

NEW SECTION. Sec. 3. There is added to Title 18 RCW a new section to read as follows:

No person shall engage in, or hold themselves out as engaged in the practice of massage without a massage operator's license issued by the director.

NEW SECTION. Sec. 4. There is added to Title 18 RCW a new section to read as follows:

It shall be unlawful to advertise the practice of massage by a person not licensed by the director.

NEW SECTION. Sec. 5. There is added to Title 18 RCW a new section to read as follows:

This chapter does not apply to:

- (1) An individual giving massage in their home to members of their immediate family;
- (2) Persons licensed in this state to practice medicine, surgery, drugless therapy, cosmetology, barbering, physical therapy, osteopathy, osteopathy and surgery, chiropractic, podiatry, nursing, or persons working under prescription, supervision, or direction of any such person;
- (3) Massage practiced at the athletic department of any institution maintained by the public funds of the state, or any of its political subdivisions;
- (4) Massage practiced at the athletic departments of any school or college accredited by the Northwest association of secondary and higher schools.

NEW SECTION. Sec. 6. There is added to Title 18 RCW a new section to read as follows:

All licenses issued under the provisions of this chapter, unless otherwise provided shall expire on the annual anniversary date of the individual's date of birth.

Failure to pay the annual license renewal fee by the date specified above shall render the license invalid, but such license may be reinstated upon written application therefor to the director, and payment to the state of a penalty of ten dollars together with all delinquent annual license renewal fees.

The director shall prorate the licensing fee for massage operator based on one-twelfth of the annual license fee for each full calendar month between the issue date and the next anniversary of the applicant's birth date, a date used as the expiration date of such license.

Every applicant for a license shall pay an examination fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended, which fee shall accompany their application.

Applicants granted a license under this chapter shall pay to the director a license fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended, prior to the issuance of their license, and an annual renewal fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended.

**NEW SECTION.** Sec. 7. There is added to Title 18 RCW a new section to read as follows:

The director shall approve issuance of a massage operator license to any applicant who is eighteen years of age or over and who has furnished satisfactory proof of their good character and health and who also has passed a written or oral examination and/or practical demonstration, prepared and conducted by the board establishing their competency and ability to engage in the practice of massage. The examinations shall require the applicant to demonstrate a basic knowledge of anatomy, physiology, hygiene, first aid, and such other subjects as the examining board may determine: **PROVIDED,** That the applicant may, upon prior written request, have their written and oral portions of the examination given in the language of their choice.

**NEW SECTION.** Sec. 8. There is added to Title 18 RCW a new section to read as follows:

The director may deny issuance or renewal of any license authorized under this chapter, or suspend or revoke any such license, if the licensee:

- (1) Has violated any provision of this chapter, or any rule or regulation of the director adopted pursuant to this chapter;
- (2) Has made any false statement or representation to the director in order to induce or prevent action by the director;
- (3) Has been convicted of a crime of lewdness or moral turpitude or a crime involving possession, use, or distribution of controlled substances, or has forfeited a bond to appear in court for any of the foregoing offenses.

**NEW SECTION.** Sec. 9. There is added to Title 18 RCW a new section to read as follows:

Any person who violates any of the provisions of this 1975 act, or the rules and regulations adopted pursuant thereto, shall be guilty of a gross misdemeanor.

**NEW SECTION.** Sec. 10. The provisions of this chapter relating to the licensing of any person shall not be exclusive, and any political subdivision of the state of Washington within whose jurisdiction the practice of massage is performed may require additional registrations or licenses, regulating the practice of massage or massage operators, and charge any fee for the same or similar purpose.

**NEW SECTION.** Sec. 11. If any provision of this 1975 act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this 1975 act and the applicability thereof to other persons and circumstances shall not be affected thereby.

**NEW SECTION.** Sec. 12. Sections 1 through 10 of this act shall constitute a new chapter in Title 18 RCW.<sup>17</sup> and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

Mr. Warnke moved that the House concur in the Senate amendment to Engrossed House Bill No. 774.

Representatives Warnke and Greengo spoke in favor of the motion, and Mr. Curtis spoke against it.

### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to Engrossed House Bill No. 774, and the motion was lost by the following vote: Yeas, 41; nays, 44; not voting, 13.

Voting yea: Representatives Barnes, Bausch, Becker, Bender, Ceccarelli, Chatalas, Clemente, Cochrane, Douthwaite, Dunlap, Fischer, Fortson, Freeman, Gallagher, Gaspard, Greengo, Hansen, Haussler, Hayner, Hurley G. S., Hurley M., Kalich, King, Knowles, Lee, May, McKibbin, Nelson, North, O'Brien, Patterson, Perry, Randall, Savage, Seeberger, Smith R., Tilly, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Berentson, Boldt, Brown, Chandler, Charette, Charnley, Conner, Curtis, Deccio, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Gilleland, Haley, Hanna, Hansey, Hawkins, Hendricks, Jastad, Kuehnle, Laughlin, Luders, Martinis, Matthews,

McCormick, Moreau, Newhouse, Pardini, Paris, Polk, Schumaker, Sherman, Shinpoch, Smith E. P., Thompson, Valle, Whiteside, Zimmerman.

Not voting: Representatives Blair, Bond, Gaines, Jueling, Kilbury, Leckenby, Lysen, Maxie, Moon, Parker, Peterson, Sommers, Wojahn.

The Speaker (Mr. O'Brien presiding) stated that the House, by its action, did not concur in the Senate amendment to Engrossed House Bill No. 774, and asked the Senate to recede therefrom.

### SENATE AMENDMENTS TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 788 with the following amendments:

On page 3, line 23 of the engrossed bill, being line 25 of the printed bill, strike "fifty" and insert "forty"

On page 5, line 28 of the engrossed bill, being page 5, line 30 of the printed bill, after "podiatry," insert "optometry"

On page 6, line 15 of the engrossed bill, being page 6, line 8 of the printed bill, after "accredited" strike "by" and insert "in"

On page 9, line 7 of the engrossed bill, being page 9, line 9 of the printed bill, after "section." insert a new subsection as follows:

"(4) Nothing in this section shall be construed to authorize the board to approve a school of osteopathy, osteopathy and surgery or osteopathic medicine, for purposes of qualifying an applicant to be licensed under this chapter by direct licensure, reciprocity or otherwise."

On page 10, line 29 of the engrossed bill, being page 10, line 31 of the printed bill, after "fee" strike everything down to and including ".085.))" on line 31 of the engrossed bill, being line 33 of the printed bill, and insert "(of not more than ten dollars to be determined by the director as provided in RCW 43.24.085.)) determined by the director as provided in RCW 43.24.085 as now or hereafter amended."

On page 12, line 27 of the engrossed bill, being page 12, line 29 of the printed bill, after "services" insert "." and strike the remainder of the sentence.

On page 14, line 28 of the engrossed bill, being page 14, line 30 of the printed bill, after "instrumentality" strike "":PROVIDED, That it shall not include the practice of chiropractic as defined in RCW 18.25.005"

On page 15, line 3 of the engrossed bill, being page 15, line 5 of the printed bill, after "license" and before the period insert "": PROVIDED, HOWEVER, That a person licensed under this chapter shall not engage in the practice of chiropractic as defined in RCW 18.25.005"

On page 15, line 29 of the engrossed bill, being page 15, line 31 of the printed bill, before "it" insert "or renewal."

On page 16, line 1 of the engrossed bill, being page 16, line 3 of the printed bill, insert a new section 18 as follows:

"NEW SECTION. Sec. 18. Members of the board shall be immune from suit in any other action, civil or criminal, based upon licensure proceedings or other official acts performed in good faith as members of the board."

Renumber the remaining sections consecutively.  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Adams, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 788.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 788 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 788 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurlley G. S., Hurlley M., Jastad, Kalich, King, Knowles, Kuehnl, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seiberger,

Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Cochrane, Juelling, Kilbury, Leckenby, Luders, Peterson, Wojahn.

Engrossed Substitute House Bill No. 788 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1029 with the following amendments:

On page 1, line 5 after "government" insert ": PROVIDED, That such association shall not be considered an 'employer' within the meaning of RCW 41.26.030(2) or 41.40.010(4): PROVIDED FURTHER, That no compensation received as an employee of the association shall be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state"

On page 1, line 5 following the Marsh amendment, insert the following ": PROVIDED FURTHER, That such association shall not qualify for inclusion under the unallocated two mills of the property tax of any political subdivision: PROVIDED FURTHER, That the association shall not have the authority to assess any excess levy or bond measure" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Conner, the House concurred in the Senate amendments to Engrossed House Bill No. 1029.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 1029 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1029 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 10; not voting, 13.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Kuehnle, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Boldt, Cochrane, Ehlers, Erickson, Fortson, Freeman, Gilleland, Nelson, North, Polk.

Not voting: Representatives Blair, Bond, Juelling, Kilbury, Leckenby, Luders, Moon, Perry, Peterson, Smith R., Williams, Wojahn, and Mr. Speaker.

Engrossed House Bill No. 1029 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

May 26, 1975

Mr. Speaker:

The Senate has adopted the report of the conference committee on ENGROSSED HOUSE BILL NO. 95, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

May 22, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 95, adding a new chapter which revises all statutes relating to eggs and egg production, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to propose the following amendments to the Senate amendment:

On page 1 of the Senate amendment, line 7, after "through" strike "38" and insert "39"

On page 15 of the Senate amendment, following line 18, insert a new subsection as follows:

"(c) The sale of eggs by any poultry producer from his own flocks directly to a household consumer exclusively for use by such consumer and members of his household and his nonpaying guests and employees, and the transportation, possession, and use of such eggs in accordance with this subsection;"

Reletter the remaining subsection.

On page 18 of the Senate amendment, beginning on line 23 strike all of subsections (4) and (5) and renumber the remaining subsection consecutively.

On page 20 of the Senate amendment, beginning on line 1, after "34." strike all material down to and including "hens." on line 7 and insert "The provisions of this chapter shall not apply to the sale of eggs by any egg producer with an annual egg production from a flock of three thousand or less hens."

Signed by Senators Day, Goltz, Sellar; Representatives Becker, Boldt, Haley.

#### MOTION

On motion of Ms. Becker, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

May 19, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to SECOND SUBSTITUTE SENATE BILL NO. 2241 on page 1, line 9; page 3, line 30; page 3, line 31; page 4, line 27; and refuses to concur in the House amendments to page 3, line 13 and page 3, line 27, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Savage moved that the House recede from its amendments to page 3, line 13 and to page 3, line 27.

#### POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Charnley.

Mr. Charnley: "I wonder if you would mind just briefly explaining to me what the effect of these amendments were and what the effect will be if we take them off?"

Mr. Savage: "We, in the House, had an amendment that the surviving widow would receive payment for 24 months, and the House had said 'or the greater amount' between that and the \$750 that she might receive as a blank settlement. The Senate says that instead of paying the greater of the two, they want to pay the lesser of the two. There are so many good things in the bill that I think we probably should accept it. In some cases there would be very little difference, but the House thought the widow ought to have the greater amount."

Mr. Charnley: "Is it your opinion that if we refuse to remove these amendments, the Senate would not accept the bill?"

Mr. Savage: "I'm not sure that it would kill the bill; we might negotiate further with a conference, but I think it's a little unusual to say that they have the greater amount, and so I think we would have an uphill battle."

The motion was carried.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Second Substitute Senate Bill No. 2241 without the House amendments to page 3, line 13 and page 3, line 27.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 2241 without the House amendments to page 3, lines 13 and 27, and the bill passed the House by the following vote: Yeas, 85; nays, 3; not voting, 10.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Kuehnle, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Polk, Randall, Savage, Schumaker, Seeburger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Whiteside.

Not voting: Representatives Blair, Bond, Jueling, Kilbury, Leckenby, Moon, Newhouse, Perry, Peterson, Wojahn.

Second Substitute Senate Bill No. 2241 without the House amendments to page 3, lines 13 and 27, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 40 with the following amendments:

On page 1, strike everything after the enacting clause and insert:

"NEW SECTION. Section 1. There is added to Title 48 RCW a new chapter to read as set forth in sections 2 through 19, 21 through 25 of this 1975 amendatory act.

NEW SECTION. Sec. 2. In affirmation of the declared principle that health care is a right of every citizen of the state, the legislature expresses its concern that the present high costs of health care in Washington may be preventing or inhibiting a large segment of the people from obtaining access to quality health care services.

The legislature declares that the establishment of qualified prepaid group and individual practice health care delivery systems should be encouraged in order to provide all citizens of the state with the freedom of choice between competitive, alternative health care delivery systems necessary to realize their right to health. It is the purpose and policy of this chapter to provide for the development and registration of prepaid group and individual practice health care plans as health maintenance organizations, which the legislature declares to be in the interest of the health, safety and welfare of the people.

NEW SECTION. Sec. 3. As used in this chapter, the terms defined in this section shall have the meanings indicated unless the context indicates otherwise.

(1) "Health maintenance organization" means any organization receiving a certificate of authority by the commissioner under this chapter which provides comprehensive health care services to enrolled participants of such organization on a group practice per capita prepayment basis or on a prepaid individual practice plan, either directly or through contractual or other arrangements with other institutions, entities, or persons, and which qualifies as a health maintenance organization pursuant to sections 4 and 5 of this 1975 amendatory act.

(2) "Comprehensive health care services" means basic consultative, diagnostic, and therapeutic services rendered by licensed health professionals together with emergency and preventive care, inpatient hospital, outpatient and physician care, at a minimum, and any additional health care services offered by the health maintenance organization.

(3) "Enrolled participant" means a person who or group of persons which has entered into a contractual arrangement or on whose behalf a contractual arrangement has been entered into with a health maintenance organization to receive health care services.

(4) "Health professionals" means practitioners who are licensed under the provisions of chapters 18.22, 18.25, 18.29, 18.32, 18.34, 18.53, 18.57, 18.57A, 18.64, 18.71, 18.71A, 18.74, 18.78, 18.83, or 18.88 RCW.

(5) "Health care service contractor" means any corporation, cooperative group, partnership, or association which is registered as a health care contractor pursuant to the provisions of chapter 48.44 RCW.

(6) "Health maintenance agreement" means an agreement for services between a health maintenance organization which is registered pursuant to the provisions of this chapter and enrolled participants of such organization which provides enrolled participants with comprehensive health services rendered to enrolled participants by health professionals, groups, facilities, and other personnel associated with the health maintenance organization.

(7) "Consumer" means any member, subscriber, enrollee, beneficiary, or other person entitled to health care services under terms of a health maintenance agreement, but not including health professionals, employees of health maintenance organizations, partners, or shareholders of stock corporations licensed as health maintenance organizations.



(8) "Meaningful role in policy making" means a procedure approved by the commissioner which provides consumers or elected representatives of consumers a means of submitting the views and recommendations of such consumers to the governing board of such organization coupled with reasonable assurance that the board will give regard to such views and recommendations.

(9) "Meaningful grievance procedure" means a procedure for investigation of consumer grievances in a timely manner aimed at mutual agreement for settlement according to procedures approved by the commissioner, and which may include arbitration procedures.

(10) "Provider" means any health professional, hospital, or other institution, organization, or person that furnishes any health care services and is licensed or otherwise authorized to furnish such services.

(11) "Department" means the state department of social and health services.

(12) "Commissioner" means the insurance commissioner.

(13) "Group practice" means a partnership, association, corporation, or other group of health professionals:

(a) The members of which may be individual health professionals, clinics, or both individuals and clinics who engage in the coordinated practice of their profession; and

(b) The members of which are compensated by a prearranged salary, or by capitation payment or drawing account that is based on the number of enrolled participants.

(14) "Individual practice health care plan" means an association of health professionals in private practice who associate for the purpose of providing prepaid comprehensive health care services on a fee-for-service or capitation basis.

**NEW SECTION.** Sec. 4. Any corporation, cooperative group, partnership, individual, association, or groups of health professionals licensed by the state of Washington, public hospital district, or public institutions of higher education shall be entitled to a certificate of registration as a health maintenance organization if it:

(1) Provides comprehensive health care services to enrolled participants on a group practice per capita prepayment basis or on a prepaid individual practice plan and provides such health services either directly or through arrangements with institutions, entities, and persons which its enrolled population might reasonably require as determined by the health maintenance organization in order to be maintained in good health; and

(2) Otherwise meets the requirements of chapter 48.44 RCW: PROVIDED, That this requirement shall not apply to public institutions of higher education; and

(3) Is governed by a board elected by enrolled participants, or otherwise provides its enrolled participants with a meaningful role in policy making procedures of such organization, as defined in sections 3(8), and 8 of this 1975 amendatory act; and

(4) Affords enrolled participants with a meaningful grievance procedure aimed at settlement of disputes between such persons and such health maintenance organization, as defined in sections 3(9) and 11 of this 1975 amendatory act; and

(5) Provides enrolled participants, or makes available for inspection at least annually, financial statements pertaining to health maintenance agreements, disclosing income and expenses, assets and liabilities, and the bases for proposed rate adjustments for health maintenance agreements relating to its activity as a health maintenance organization; and

(6) Demonstrates to the satisfaction of the commissioner that its facilities and personnel are reasonably adequate to provide comprehensive health care services to enrolled participants and that it is financially capable of providing such members with, or has made adequate contractual arrangements through insurance or otherwise to provide such members with, such health services; and

(7) Substantially complies with administrative rules and regulations of the commissioner for purposes of this chapter; and

(8) Submits an application for a certificate of registration which shall be verified by an officer or authorized representative of the applicant, being in form as the commissioner prescribes, and setting forth:

(a) A copy of the basic organizational document, if any, of the applicant, such as the articles of incorporation, articles of association, partnership agreement, trust agreement, or other applicable documents, and all amendments thereto;

(b) A copy of the bylaws, rules and regulations, or similar documents, if any, which regulate the conduct of the internal affairs of the applicant, and all amendments thereto;

(c) A list of the names, addresses, members of the board of directors, board of trustees, executive committee, or other governing board or committee and the principal officers, partners, or members;

(d) A full and complete disclosure of any financial interests held by any officer, or director in any provider associated with the applicant or any provider of the applicant.

(e) A description of the health maintenance organization, its facilities and its personnel, and the applicant's most recent financial statement pertaining to prepaid health maintenance agreements, showing such organization's assets, liabilities, income, and other sources of financial support;

(f) A description of the geographic areas and the population groups to be served and the size and composition of the anticipated enrollee population;

(g) A copy of each type of health maintenance contract to be issued to enrolled participants;

(h) A schedule of all proposed rates of reimbursement to contracting health care facilities or providers, if any, and a schedule of the proposed charges for enrollee coverage for health care services, accompanied by data relevant to the formulation of such schedules;

(i) A description of the proposed method and schedule for soliciting enrollment in the applicant health maintenance organization and the basis of compensation for such solicitation services;

(j) A copy of the solicitation document to be distributed to all prospective enrolled participants in connection with any solicitation;

(k) A financial projection which sets forth the anticipated results during the initial two years of operation of such organization, if such organization has not operated previously as a health care contractor under chapter 48.44 RCW, accompanied by a summary of the assumptions and relevant data upon which the projection is based. The projection should include the projected expenses, enrollment trends, income, enrollee utilization patterns, and sources of working capital;

(l) A detailed description of the enrollee complaint system as provided by section 11 of this 1975 amendatory act;

(m) A detailed description of the procedures and programs to be implemented to assure that the health care services delivered to enrolled participants will be of professional quality; and

(n) Such other information as the commissioner shall require by rule or regulation which is reasonably necessary to carry out the provisions of this section.

A health maintenance organization shall, unless otherwise provided for in this chapter, file a notice describing any modification of any of the information required by subsection (8) of this section. Such notice shall be filed with the commissioner.

**NEW SECTION. Sec. 5.** After January 1, 1976, the commissioner shall issue a certificate of registration to the applicant within sixty days of such filing unless he notifies the applicant within such time that such application is not complete and the reasons therefor; or that he is not satisfied that:

(1) The basic organizational document of the applicant when combined with the powers enumerated in section 6 of this 1975 amendatory act permits the applicant to conduct business as a health maintenance organization;

(2) The organization has demonstrated the intent and ability to assure that comprehensive health care services will be provided in a manner to assure both their availability and accessibility;

(3) The organization is financially responsible and may be reasonably expected to meet its obligations to its enrolled participants. In making this determination, the commissioner shall consider among other relevant factors:

(a) Any agreements with an insurer, a medical or hospital service bureau, a government agency or any other organization paying or insuring payment for health care services;

(b) Any agreements with providers for the provision of health care services; and

(c) Any arrangements for liability and malpractice insurance coverage;

(4) The procedures for offering health care services and offering or terminating contracts with enrolled participants are reasonable and equitable in comparison with prevailing health insurance subscription practices and health maintenance organization enrollment procedures; and, that

(5) Procedures have been established to:

(a) Monitor the quality of care provided by such organization, including, as a minimum, procedures for internal peer review;

(b) Resolve complaints and grievances initiated by enrolled participants in accordance with sections 2(8) and 11 of this 1975 amendatory act;

(c) Offer enrolled participants an opportunity to participate in matters of policy and operation in accordance with sections 3(8) and 8 of this 1975 amendatory act.

No person to whom a certificate of registration has not been issued, except a health maintenance organization certified by the secretary of the department of health, education and welfare, pursuant to Public Law 93-222 or its successor, shall use the words "health maintenance organization" or the initials "HMO" in its name, contracts, or literature: **PROVIDED HOWEVER,** That persons who are contracting with, operating in association with, recruiting enrolled participants for, or otherwise authorized by a health maintenance organization possessing a certificate of registration to act on its behalf may use the terms "health maintenance organization" or "HMO" for the limited purpose of denoting or explaining their relationship to such health maintenance organization.

The department of social and health services, at the request of the insurance commissioner, shall inspect and review the facilities of every applicant health maintenance organization to determine that such facilities are reasonably adequate to provide the health care services offered in their contracts. If the commissioner has information to indicate that such facilities fail to continue to be adequate to provide the health care services offered, the department of social and health services, upon request of the insurance commissioner, shall reinspect and review the facilities and report to the insurance commissioner as to their adequacy or inadequacy.

**NEW SECTION. Sec. 6.** The powers of a holder of a certificate of registration issued pursuant to section 5 of this 1975 amendatory act shall include, in addition to any other powers conferred by the law, those conferred on health care contractors pursuant to chapter 48.44 RCW. Nothing in this chapter shall be deemed to preclude a health maintenance organization from training or employing any health personnel.

**NEW SECTION. Sec. 7.** (1) All forms of health maintenance agreements issued by the organization to enrolled participants or other marketing documents purporting to describe the organization's comprehensive health care services shall comply with such minimum standards as the commissioner deems reasonable and necessary in order to carry out the purposes and provisions of this chapter, and which fully inform enrolled participants of the health care services to which they are entitled, including any limitations or

exclusions thereof, and such other rights, responsibilities and duties required of the contracting health maintenance organization.

(2) No health maintenance organization authorized under this chapter shall cancel or fail to renew the enrollment on any basis of an enrolled participant or refuse to transfer an enrolled participant from a group to an individual basis for reasons relating solely to age, sex, race, or health status: PROVIDED HOWEVER, That nothing contained herein shall prevent cancellation of a contract with enrolled participants (a) who violate any published policies of the organization which have been approved by the commissioner, or (b) who are entitled to become eligible for medicare benefits and fail to enroll for a medicare supplement plan offered by the health maintenance organization and approved by the commissioner, or (c) for failure of such enrolled participant to pay the approved charge, including cost-sharing, required under such contract, or (d) for a material breach of the health maintenance agreement.

(3) No contract form or amendment to an approved contract form shall be used unless it is filed with the commissioner.

**NEW SECTION.** Sec. 8. (1) The members of the governing body of a health maintenance organization shall be nominated by the voting members or by the enrolled participants and providers, and shall be elected by the enrolled participants or voting members pursuant to the provisions of their bylaws, which shall not be restricted to providers. At least one-third of such body shall consist of consumers who are substantially representative of the enrolled population of such organization: PROVIDED, HOWEVER, That any panel medicine plan, qualified pursuant to chapter 41.05 RCW, and licensed as a health care contractor as of January 1, 1975, may have a governing body which shall be advised by an advisory board consisting of at least two-thirds consumers who are elected by the voting members or the enrolled participants and are substantially representative of the enrolled population.

(2) For health maintenance organizations formed by public institutions of higher education or public hospital districts, the governing body shall be advised by an advisory board consisting of at least two-thirds consumers who are elected by the voting members or the enrolled participants and are substantially representative of the enrolled population.

**NEW SECTION.** Sec. 9. (1) Every health maintenance organization shall annually file with the commissioner a report, under oath, in accordance with the provisions of this chapter.

(2) Such annual report shall be in such form as the commissioner shall prescribe and shall include:

(a) A financial statement of such organization, including its balance sheet and receipts and disbursements for the preceding year, which reflects at a minimum,

(i) all prepayments and other payments received for health care services rendered pursuant to health maintenance agreements;

(ii) expenditures to all categories of health care facilities, providers, insurance companies, or hospital or medical service plan corporations with which such organization has contracted to fulfill obligations to enrolled participants arising out of its health maintenance contracts, together with all other direct expenses including depreciation, enrollment, and commission; and

(iii) expenditures for capital improvements, or additions thereto, including but not limited to construction, renovation, or purchase of facilities and capital equipment;

(b) The number of participants enrolled and terminated during the report period. Every employer offering health care benefits to their employees through a group contract with a health maintenance organization shall furnish said health maintenance organization with a list of their employees enrolled under such plan;

(c) A report of the names and addresses of all officers, directors, or trustees of the health maintenance organization during the preceding year, and the amount of wages, expense reimbursements, or other payments to such individuals for services to such organization. For partnership and professional service corporations, a report shall be made for partners or shareholders as to any compensation or expense reimbursement received by them for services, other than for services and expenses relating directly for patient care;

(d) Such other information relating to the performance of the health maintenance organization or the health care facilities or providers with which it has contracted as reasonably necessary to the proper and effective administration of this chapter, in accordance with rules and regulations; and

(e) Disclosure of any financial interests held by officers and directors in any providers associated with the health maintenance organization or any provider of the health maintenance organization.

**NEW SECTION.** Sec. 10. A health maintenance organization, and the health care facilities and providers with which such organization has entered into contracts to provide health care services to its enrolled participants, shall provide such services in a manner consistent with the dignity of each enrolled participant as a human being.

**NEW SECTION.** Sec. 11. A health maintenance organization shall establish and maintain a grievance procedure, approved by the commissioner, to provide reasonable and effective resolution of complaints initiated by enrolled participants concerning any matter relating to the interpretation of any provision of such enrolled participants' health maintenance contracts, including, but not limited to, claims regarding the scope of coverage for health care services; denials, cancellations, or nonrenewals of enrolled participants' coverage; and the quality of the health care services rendered, and which may include procedures for arbitration.

**NEW SECTION.** Sec. 12. (1) No health maintenance organization may refer to itself in its name or advertising with any of the words: "insurance", "casualty", "surety", "mutual", or any other words

descriptive of the insurance, casualty, or surety business, or deceptively similar to the name or description of any insurance or surety corporation doing business in this state.

(2) No health maintenance organization, nor any health care facility or provider with which such organization has contracted to provide health care services, shall discriminate against any person from whom or on whose behalf, payment to meet the required charge is available, with regard to enrollment, disenrollment, or the provision of health care services, on the basis of such person's race, color, sex, religion, place of residence if there is reasonable access to the facility of the health maintenance organization, socioeconomic status, or status as a recipient of medicare under Title XVIII of the Social Security Act, 42 U.S.C. section 1396, et seq.

(3) Where a health maintenance organization determines that an enrolled participant has received health care services to which such enrolled participant is not entitled under the terms of his health maintenance contract, neither such organization, nor any health care facility or provider with which such organization has contracted to provide health care services, shall have recourse against such enrolled participant for any amount above the actual cost of providing such service, if any, specified in such contract, unless the enrolled participant or a member of his family has given or withheld information to the health maintenance organization, the effect of which is to mislead or misinform the health maintenance organization as to the enrolled participant's right to receive such services.

**NEW SECTION.** Sec. 13. (1) The commissioner may make an examination of the operations of any health maintenance organization as often as he deems necessary in order to carry out the purposes of this chapter.

(2) Every health maintenance organization shall submit its books and records relating its operation for such examinations and in every way facilitate them. For the purpose of examinations, the commissioner may issue subpoenas, administer oaths, and examine the officers and agents of the health maintenance organization and the principals of such providers concerning their business.

**NEW SECTION.** Sec. 14. (1) The commissioner may, consistent with the provisions of the administrative procedure act, chapter 34.04 RCW, initiate proceedings to determine whether a health maintenance organization has:

- (a) Operated in a manner that materially violates its organizational documents;
  - (b) Materially breached its obligation to furnish the health care services specified in its contracts with enrolled participants;
  - (c) Violated any provision of this chapter, or any rules and regulations promulgated thereunder;
  - (d) Made any false statement with respect to any report or statement required by this chapter or by the commissioner under this chapter;
  - (e) Advertised or marketed, or attempted to market, its services in such a manner as to misrepresent its services or capacity for services, or engaged in deceptive, misleading, or unfair practices with respect to advertising or marketing;
  - (f) Prevented the commissioner from the performance of any duty imposed by this chapter; or
  - (g) Fraudulently procured or attempted to procure any benefit under this chapter.
- (2) After providing written notice and an opportunity for a hearing to be scheduled no sooner than ten days following such notice, the commissioner shall make administrative findings and may, as appropriate:
- (a) Impose a penalty of not more than ten thousand dollars for each and every unlawful act committed which materially affects the health services offered or furnished;
  - (b) Issue an administrative order requiring the health maintenance organization to:
    - (i) Cease or modify inappropriate conduct or practices by it or any of the personnel employed or associated with it;
    - (ii) Fulfill its contractual obligations;
    - (iii) Provide a service which has been improperly denied;
    - (iv) Take steps to provide or arrange for any service which it has agreed to make available; or
    - (v) Abide by the terms of an arbitration proceeding, if any;
  - (c) Suspend or revoke the certificate of authority of the health maintenance organization:
    - (i) If its certificate of authority is suspended, the organization shall not, during the period of such suspension, enroll any additional participants except newborn children or other newly acquired dependents of existing enrolled participants, and shall not engage in any advertising or solicitation whatsoever;
    - (ii) If its certificate of authority is revoked, the organization shall proceed under the supervision of the commissioner immediately following the effective date of the order of revocation to wind up its affairs, and shall conduct no further business except as may be essential to the orderly conclusion of such affairs: **PROVIDED**, That the commissioner may, by written order, permit such further operation of the organization as it may find to be in the best interest of enrolled participants, to the end that such enrolled participants will be afforded the greatest practical opportunity to obtain continuing health care coverage: **PROVIDED, FURTHER**, That if the organization is qualified to operate as a health care service contractor under chapter 48.44 RCW, it may continue to operate as such when it obtains the appropriate license.

(3) The commissioner may apply to any court for such legal or equitable relief as it deems necessary to effectively carry out the purposes of this chapter, including, but not limited to, an action in any court of competent jurisdiction to enjoin any such acts or practices and to enforce compliance with this chapter or any rule or order hereunder. Upon a proper showing a permanent or temporary injunction, restraining order, or writ of mandamus shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets. The commissioner may not be required to post a bond.

**NEW SECTION.** Sec. 15. Every organization subject to this chapter shall pay to the commissioner the following fees:

(1) For filing a copy of its application for a certificate of registration or amendment thereto, one hundred dollars;

(2) For filing each annual report pursuant to section 9 of this 1975 amendatory act, ten dollars.

**NEW SECTION.** Sec. 16. (1) The department is hereby authorized to enter into contracts with health maintenance organizations to furnish, directly or through contractual arrangements with providers or other persons, medicaid services to eligible recipients of medical assistance under Title XIX of the Social Security Act, 42 U.S.C. section 1396, et seq.

(2) The department shall enter into negotiations with any health maintenance organization for the provision of the medical needs of such recipients on a group basis located within the appropriate defined service area of such health maintenance organization in order to realize the possibility of obtaining cost savings of public funds in the purchase of health care services for such recipients, based on differentials between the cost of such services when offered by health maintenance organizations and other providers: **PROVIDED.** That nothing herein shall require the department to enter into any contract: **AND PROVIDED FURTHER,** That no such recipient shall be obligated to receive any such medical care from any health maintenance organization under contract with the department.

**NEW SECTION.** Sec. 17. The commissioner shall report annually to the legislature regarding the effect of this chapter on the development and operation of health maintenance organizations, the effect of such development and operation on both enrolled participants and nonenrollees including participation in medicare, the extent to which the purposes and provisions of this chapter have been carried out, and the modifications in this chapter, if any, necessary to further the interests of the public.

**NEW SECTION.** Sec. 18. (1) Solicitation of enrolled participants by a health maintenance organization granted a certificate of registration, or its agents or representatives, shall not be construed to violate any provision of law relating to solicitation or advertising by health professionals.

(2) Any health maintenance organization authorized under this chapter shall not be deemed to be violating any law prohibiting the practice by unlicensed persons of podiatry, chiropractic, dental hygiene, opticianary, dentistry, optometry, osteopathy, pharmacy, medicine and surgery, physical therapy, nursing, or psychology: **PROVIDED,** That this subsection shall not be construed to expand a health professional's scope of practice or to allow employees of a health maintenance organization to practice as a health professional unless licensed.

(3) Nothing contained in this chapter shall alter any statutory obligation, or rule or regulation promulgated thereunder, in chapter 70.38 or 70.39 RCW.

(4) Any health maintenance organization receiving a certificate of registration pursuant to this chapter shall be exempt from the provisions of chapter 48.05 RCW, and shall not be required to register as a health care contractor under chapter 48.44 RCW but shall be subject to all other provisions of chapters 48.44 and 70.39 RCW.

**NEW SECTION.** Sec. 19. There is added to chapter 41.04 RCW a new section to read as follows:

Any employee or retired employee of the state or its departments, agencies, or subdivisions and any employee or retired employee of a county, public or municipal corporation, school district, or tax supported institution may authorize the deduction from his salary or wages of the amount of his capitation payments to any health maintenance organization receiving a certificate of authority under this chapter. Upon the filing of an authorization with the auditor or fiscal officer of the employer, such auditor or fiscal officer shall make payments in favor of the health maintenance organizations referred to in the authorization for the amounts of the deductions authorized, RCW 41.04.230(7) notwithstanding.

**NEW SECTION.** Sec. 20. The commissioner may, in accordance with the provisions of the administrative procedure act, chapter 34.04 RCW, promulgate rules and regulations as necessary or proper to carry out the provisions of this chapter. Nothing in this chapter shall be construed to prohibit the commissioner from requiring changes in procedures previously approved by him.

**NEW SECTION.** Sec. 21. Nothing in this chapter shall prohibit any health maintenance organization from meeting the requirements of any federal law which would authorize such health maintenance organization to receive federal financial assistance or enroll beneficiaries assisted by federal funds.

**NEW SECTION.** Sec. 22. Any party aggrieved by a decision, order, or regulation made under this chapter by the commissioner shall have the right to have such reviewed pursuant to the provisions of the administrative procedure act, chapter 34.04 RCW.

**NEW SECTION.** Sec. 23. It is intended that the provisions of this chapter shall be liberally construed to accomplish the purposes provided for and authorized herein.

**NEW SECTION.** Sec. 24. The legislature shall make a study of the appropriate financial security requirements, investment restrictions, bonding requirements, and the possibilities of providing arbitration proceedings as an acceptable grievance procedure for health maintenance organizations, and shall also study the establishment of a system for classifying contracts for health care coverage by health maintenance organizations and all other health care contractors and insurers according to the benefits they offer and appropriate procedures for quality review.

In all such studies under this section, the legislature may be advised by a committee which shall be generally representative of health maintenance organizations, consumers, professional organizations representing health professionals, and a representative of the commissioner. The results of such studies shall be reported to the governor and to the legislature prior to the first session of the legislature after January 1, 1977.

**NEW SECTION.** Sec. 25. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 26. This 1975 amendatory act may be known and cited as "The Washington Health Maintenance Organization Act of 1975."

In the title, page 1, line 1, strike everything after "AN ACT" down to the period on line 6 and insert: "Relating to licensing of health maintenance organizations; creating a new chapter in Title 48 RCW; adding a new section to chapter 41.04 RCW; and prescribing penalties" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Eng, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 40, and asked the Senate for a conference thereon.

#### MOTION

On motion of Mr. Charette, the House advanced to the sixth order of business.

#### SECOND READING

Mr. Amen moved that Senate Concurrent Resolution No. 114 be placed on the second reading calendar as a special order of business at 4:00 p.m. today.

On motion of Mr. Charette, the motion by Mr. Amen was laid on the table.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2159**, by Committee on Transportation and Utilities (Originally sponsored by Senators Walgren, Wanamaker and Bottiger):

Pertaining to motor vehicle fuel taxes.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, Seventy-second Day ex. sess., May 24, 1975.)

Mr. Perry moved adoption of the committee amendment to the body of the bill.

Mr. Barnes moved adoption of the following amendment to the committee amendment:

On page 16 of the House committee amendment following section 16 add a new section to read as follows:

"Sec. 17. Section 1, chapter . . . , Laws of 1975 1st ex. sess. (SHB 427) is hereby amended to read as follows:

The budget of the Washington state highway commission is hereby adopted and, subject to the provisions hereinafter set forth, the several amounts hereinafter specified, or so much thereof as shall be necessary to accomplish the purposes designated, are hereby appropriated from the motor vehicle fund to the state highway commission and are authorized to be disbursed for salaries, wages, and other state highway commission expenses for obligations incurred and not paid as of July 1, 1975, for capital projects and for other specified purposes for the biennium ending June 30, 1977:

**PROGRAM C, CONSTRUCTION**

For the location, design, right of way, and construction of state highways, including state highways in urban areas in accordance with RCW 47.26.040 through 47.26.070, and for improvement and construction of buildings, other highway plant structures and ferry and toll facilities, and for associated supervision and direct support . . . . \$355,261,659 consisting of \$120,781,329 from state funds, \$233,380,330 from federal funds, and \$1,100,000 from local funds; and a reappropriation of \$12,000,000 from state funds: **PROVIDED**, That the appropriation contained in this section for Program C, "Construction" shall include the proceeds of bonds authorized by RCW 47.26.400 through 47.26.407 remaining unsold on July 1, 1975, but not to exceed \$35,000,000: **PROVIDED**, That the state highway commission may transfer any funds authorized within this appropriation to Program M, Physical Maintenance and Operations, for expenditure: **PROVIDED FURTHER**, That the state highway commission through the biennium ending June 30, 1977, is directed to exercise its authority under the priority programming law and may digress therefrom with discretion and flexibility to utilize effectively state and federal funds available for highway purposes: ~~(PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend \$535,000, or so much thereof as may be necessary, to complete right of way acquisition and to construct a northbound off-ramp from state route 5 at south 72nd street: PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend \$300,000, or so much thereof as may be necessary, for right of way acquisition, design, and construction of a bicycle trail and bridge over the Naches river in the vicinity of the Selah interchange on state route 82: PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend \$3,500,000, or so much thereof as may be necessary, for design and construction of state route 26 between Washtucna and Mullen: PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend \$4,750,000, or so much thereof as may be necessary, for necessary approach roadways, design and construction of a high level bridge to~~

replace bridge number 20-211N on state route 20 between state route 5 and state route 205. PROVIDED FURTHER, That the highway commission is hereby authorized and directed to expend \$5,900,000, or so much thereof as may be necessary, for completion of design, right of way acquisition and construction of state route 520 between 148th Avenue N.E. and state route 901 in Redmond. PROVIDED FURTHER, That if Senate Bill No. 2159 is not enacted into law during the 1975 1st extraordinary session and signed by the governor, no funds authorized by the specific project appropriations contained in the provisos in this section shall be available for expenditure.) PROVIDED FURTHER, That no funds appropriated in this section shall be expended for construction of Project No. 61127A on state route 276 as shown in the document published by the Washington state highway commission entitled 'Highway Construction Projects in the 1975-77 Biennium by Legislative District' dated February 1, 1975, until completion of a further review of the highway transportation requirements in the Pullman area by the highway commission.

#### PROGRAM M, PHYSICAL MAINTENANCE AND OPERATIONS

For Program M maintenance and operations of state highways, maintenance and operation of highway plant, and associated supervision and direct support ..... \$97,084,502 consisting of \$95,466,476 from state funds and \$1,618,026 from local funds: PROVIDED, That the state highway commission may transfer any funds authorized within this appropriation to Program C, Construction, for expenditure.

#### PROGRAM P, GENERAL SUPERVISION, PLANNING AND RESEARCH

For the operations of the Washington state highway commission, department of highways, including programs for executive management and general support, highway planning surveys and research by the Washington state highway commission and for research and studies approved by the Washington state highway commission and the legislative transportation committee or the standing transportation committees of the senate and house. Also, for any necessary increase in stores; for necessary pit and stockpile sites and write-off of obsolete pits and stockpiles ..... \$25,859,886 consisting of \$20,430,907 from state funds and \$5,428,979 from federal funds: PROVIDED, That the state highway commission may transfer any funds authorized within this appropriation to Program C, Construction, or Program M, Maintenance and Operations, for expenditure.

The legislature finds that the highway commission has made significant management improvements to date in the development and utilization of work standards and similar criteria for determining both operational and support personnel requirements in all programs. It is the intent of the legislature that the highway commission devote special attention to the continued evolution and refinement of such criteria during execution of the 1975-77 biennium budget; and to prepare the 1977-79 biennium budget request based on such refined criteria."

### POINT OF ORDER

Mr. Perry: "I rise to ask the Chair to rule on the scope and object of this amendment which clearly discusses and includes in it part of a tax bill, part of the budget."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears that the amendment offered by Representative Barnes pertains to budgetary matters and the committee amendment pertains to raising of revenue and certain contingencies. So you have two different subject matters contained if we consider the amendment offered by Representative Barnes. According to our rules the amendment has to be germane to the original subject matter and I'm going to rule that it is not germane to the subject matter of raising revenues in connection to Engrossed Substitute Senate Bill No. 2159. The amendment is out of order."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment.

Mr. Perry spoke in favor of the amendment, and it was adopted.

On motion of Mr. Perry, the committee amendments to the title were adopted.

Engrossed Substitute Senate Bill No. 2159 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2937, by Committee on Transportation and Utilities (Originally sponsored by Senator Walgren):

Relating to transportation taxation.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, Seventy-second Day ex. sess., May 24, 1975.)

On motion of Mr. Perry, the committee amendment was adopted.

Engrossed Substitute Senate Bill No. 2937 as amended by the House was passed to Committee on Rules for third reading.

HOUSE BILL NO. 860, by Representatives Perry and Patterson:

Relating to transportation studies.

The bill was read the second time.

On motion of Mr. Perry, Substitute House Bill No. 860 was substituted for House Bill No. 860, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 860 was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2535, by Committee on Transportation and Utilities (Originally sponsored by Senator Walgren):

Relating to transportation.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, Seventy-second Day ex. sess., May 24, 1975.)

On motion of Mr. Perry, the House did not adopt the committee amendments.

On motion of Mr. Perry, the following amendments by Representatives Perry and Patterson were adopted:

On page 5, line 32 after "transportation" insert ", from a list of three names submitted by the governor."

On page 6, line 2 after "cause" insert "of incapacity, incompetence, neglect of duty, or malfeasance in office"

On page 58, after line 31 insert a new section as follows:

"NEW SECTION. Sec. 76. There is hereby appropriated from the general fund to the department of transportation the sum of \$553,400, or so much thereof as may be necessary, for the biennium ending June 30, 1977 to carry out the provisions of this 1975 amendatory act."

Remember the remaining section.

On motion of Mr. Perry, the following amendment by Representatives Perry and Berentson was adopted.

On page 59, line 29 strike "on July 1, 1975" and insert "immediately"

Engrossed Substitute Senate Bill No. 2535 as amended by the House was referred to Committee on Ways and Means - Appropriations.

The Speaker assumed the Chair.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2280, by Committee on Transportation and Utilities (Originally sponsored by Senators Walgren, Bailey, North, Beck, Talley, Fleming, Sellar, Lewis (R.H.), Ridder, Jolly, Goltz, Morrison, Gould, Day, Henry, Stortini, Wanamaker and Washington):

Pertaining to financing municipal transportation systems.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, Seventy-second Day ex. sess., May 24, 1975.)

Mr. Perry moved adoption of the committee amendment to the body of the bill.

Mr. Randall moved adoption of the following amendment to the committee amendment: On page 6, section 6, line 11 after "shall be" strike "one-tenth, two-tenths, or"

Mr. Randall spoke in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Pardini.

Mr. Pardini: "The other half of the problem that we developed in the Revenue Committee, in addition to the one-tenths, two-tenths, three-tenths, was the area served. As I understand the transportation bill, it is a traffic benefit area or something along that line, some definition. Do we still have a problem with administration in applying the sales tax, say, in a regional area which ends at the end of a school district, but it would be less than a county? Would we still have that problem remaining, or do you intend to offer another amendment to correct that?"



Mr. Randall: "I think the answer to your question, is yes, the problem still remains. I have not prepared another amendment, however. The bill is so intertwined with a previous bill that we had a few moments ago on motor vehicle excise tax—the language is so intertwined throughout this bill that my staff could do it overnight, but they have to have time. You can't straighten this out with a short floor amendment and I think that this indicates where this bill should be."

Mr. Perry spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Amen moved adoption of the following amendment to the committee amendment: On page 11, section 12, line 19 strike "shall" and insert "may"

Representatives Amen and Perry spoke in favor of the amendment, and it was adopted.

#### MOTION

Mr. Douthwaite moved that further action on Engrossed Substitute Senate Bill No. 2280 be deferred, and the bill be held for tomorrow's second reading calendar.

Representatives Douthwaite and Randall spoke in favor of the motion, and Representatives Perry, Pardini and Nelson spoke against it.

The motion was lost.

The committee amendment as amended was adopted.

On motion of Mr. Perry, the committee amendment to the title was adopted.

Engrossed Substitute Senate Bill No. 2280 as amended by the House was passed to Committee on Rules for third reading.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was signing:

HOUSE BILL NO. 2,  
 SUBSTITUTE HOUSE BILL NO. 67,  
 SUBSTITUTE HOUSE BILL NO. 126,  
 SUBSTITUTE HOUSE BILL NO. 184,  
 SUBSTITUTE HOUSE BILL NO. 212,  
 HOUSE BILL NO. 267,  
 SUBSTITUTE HOUSE BILL NO. 340,  
 HOUSE BILL NO. 423,  
 HOUSE BILL NO. 464,  
 HOUSE BILL NO. 530,  
 HOUSE BILL NO. 619.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2574, by Committee on Natural Resources (Originally sponsored by Senator Peterson):

Authorizing buy-back of fishing vessels, gear and permits.

The bill was read the second time.

Committee on Ways and Means – Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, Seventy-second Day ex. sess., May 24, 1975.)

On motion of Mr. Bagnariol, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2574 as amended by the House was placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Amen.

Mr. Amen: "You made a statement that the gear would be bought and the vessels and those persons from whom they were bought would not go back into that type of business. How do you prevent them from going back into it—putting that money into new gear, etc.?"

Mr. Martinis: "We passed, last year a gear moratorium, which would not allow any new commercial fishing licenses in the state. Those licenses are attached to the boat, so if you bought the boat and that was removed from the industry and that boat was not allowed to go back into the commercial industry, it would actually be a reduction in gear. The way the mechanics of the bill go is that the Director of Fisheries would institute rules and regulations for entering into contracts or agreements with the boat owners when they purchase the vessels and then resell them. The agreement would be that this boat would not go back into the industry or it would revert back to the state of Washington. It would be forfeited."

Mr. Amen: "Then under present legislation there are no new permits issued for going into the fishing industry?"

Mr. Martinis: "Basically that is correct. When we passed the moratorium we said that those boats that were under construction would be entitled to a fishing license, but we also set up a hardship board to where, if in time someone did petition the Director of Fisheries to enter into the commercial salmon fishing industry, it would be reviewed. The Director of Fisheries has been very, very careful and generally he draws the board from the peers, and the peers in the industry or that of the segment of the industry decide whether it's truly a hardship case or not and it's rare that a license is issued."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2574 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Chandler, Charette, Charney, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Kuehne, Laughlin, Lee, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Barnes, Blair, Bond, Brown, Eikenberry, Juelling, Kilbury, Leckenby, Luders, Moon, Peterson, Wojahn.

Engrossed Substitute Senate Bill No. 2574 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ENGROSSED SENATE BILL NO. 2698, by Senator Francis:

Permitting legislative authorities of home rule counties to designate up to twelve unclassified positions of administrative responsibility.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2698 was placed on final passage.

Representatives Haussler, Douthwaite, Eikenberry and Sommers spoke in favor of passage of the bill, and Representatives Lysen and Charette spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2698, and the bill passed the House by the following vote: Yeas, 58; nays, 28; not voting, 12.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Bender, Berentson, Brown, Chandler, Charney, Clemente, Cochran, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gilleland, Greengo, Hanna, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., King, Knowles, Kuehne, Lee, Luders, Martinis, Maxie, McCormick, Nelson, Newhouse, O'Brien, Pardini, Paris, Patterson, Perry, Polk, Randall, Schumaker, Smith E. P., Sommers, Tilly, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Boldt, Ceccarelli, Charette, Chatalas, Conner, Ehlers, Fortson, Gaines, Gallagher, Gaspard, Haley, Hansen, Hayner, Jastad, Kalich, Laughlin, Lysen, McKibbin, Moreau, North, Parker, Savage, Seeberger, Sherman, Shinpoch, Thompson, Valle.

Not voting: Representatives Becker, Blair, Bond, Juelling, Kilbury, Leckenby, Matthews, May, Moon, Peterson, Smith R., Wojahn.

Engrossed Senate Bill No. 2698, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2048, by Committee on Parks and Recreation (Originally sponsored by Senators Knoblauch, Wanamaker, Bailey, Jones and Beck):

Revising laws on boating.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Seventy-second Day ex. sess., May 24, 1975.)

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal, Fiftieth Day ex. sess., May 2, 1975.)

Mr. Randall moved adoption of the committee amendment by the Committee on Ways and Means - Revenue to page 1, line 1.

#### POINT OF ORDER

Mr. Eikenberry: "Mr. Speaker, my point of order is that this amendment contemplates the adoption of new sections to this act and apparently the sections are found at the back of our billbooks, and those sections, I submit, are beyond the scope and object of this bill; particularly the amendment that reads on page 12 following line 33 insert new sections as follows:—and then they start numbering new section 20, etc. These would be beyond the scope and object of this bill."

The Speaker: "We will withdraw the amendment on page 1, line 1, since it can be done in engrossing. They are future sections that this amendment is dependent on, so we will proceed on to the next amendment."

The Clerk read the Revenue Committee amendment to page 7, line 8.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Randall: "There are two committees that worked on this bill and the Parks and Recreation Committee amendments fall ahead of this position; they have one on page 4, line 8; page 5, line 14; page 5, line 15. I wonder if we shouldn't take those first?"

#### MOTION

On motion of Mr. Charette, further action on Engrossed Third Substitute Senate Bill No. 2048 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 1162, by Representatives Shinpoch and Bagnariol:

Relating to appropriations.

The bill was read the second time.

On motion of Mr. Charette, Substitute House Bill No. 1162 was substituted for House Bill No. 1162, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1162 was read the second time.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Newhouse:

On page 1, line 17 after "Appropriation:" beginning with "For the" strike all material down to and including "Health Services" on line 28 and insert "For the Department of Social and Health Services to support the Income Maintenance, Medical Assistance, and Community Social Services programs in the event the Department"

Representatives Polk and Newhouse spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Polk and Newhouse to Substitute House Bill No. 1162, and the amendment was not adopted by the following vote: Yeas, 29; nays, 56; not voting, 13.

Voting yea: Representatives Amen, Barnes, Berentson, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Kuehnle, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, and Mr. Speaker.

Not voting: Representatives Becker, Blair, Bond, Brown, Chandler, Gaines, Juelsing, Kibbury, Leckenby, Moon, Peterson, Williams, Wojahn.

#### EXPLANATION OF VOTE

My voting machine malfunctioned and recorded my vote wrong. I intended to vote "No" on the amendment by Representatives Polk and Newhouse to SHB 1162.

ROBERT E. GAINES, 30th District.

On motion of Mr. Shinpoch, the following amendment by Representatives Shinpoch, Polk, Curtis and Bagnariol was adopted:

On page 2, line 2 insert:

"NEW SECTION. Sec. 3. PROVIDED, That notwithstanding any other provision of law the department is authorized to shift funds during the 1973-75 biennium between programs within the department of social and health services or apply unanticipated receipts to reduce expenditures against state funds upon notification of the standing ways and means committees if the legislature is in session or the legislative budget committee if the legislature is not in session."

Remember the remaining sections consecutively.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Newhouse: "In view of the amendment that was rejected, would you tell me, Mr. Speaker, if the Legislative Budget Committee is operating, organized and has a chairman, in view of the fact that the organization expired as far as this session is concerned with the beginning of this session of the legislature?"

The Speaker: "Representative Newhouse, I think you are asking me for a legal opinion, but it's the Speaker's understanding that it is a statutory committee so it will continue throughout the biennium unless its successors are appointed. I don't know for sure as each one differs to a certain extent, but that's normally how they are done. If it's merely a committee created by a resolution then it ceases normally at the start of a new session, but when it's statutorily created then it's however the statutes set them up. I would have to refer you to RCW 44.28.010."

Mr. Newhouse: "Can you tell me then if there has been any meeting of the Legislative Budget Committee scheduled for the month of June?"

The Speaker: "I'm afraid you will have to check with the chairman on that, Representative Newhouse. I do not schedule those committees."

Substitute House Bill No. 1162 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1162 was placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Newhouse.

Mr. Newhouse: "In this 135th day, Mr. Shinpoch, maybe we are setting a new record. Do you recall how many supplemental budgets this is for this biennium? Is it six or seven, and what are the total amount of dollars?"

Mr. Shinpoch: "No, I really can't answer you. We just seem to respond everytime the Chief Executive asks us to—we get a letter from his budget office that they have made another error and they would like to have some more money and we go in and review it and every once in awhile we pass one."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1162, and the bill passed the House by the following vote: Yeas, 58; nays, 31; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Luders, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Freeman, Gallagher, Gilleland, Greengo, Hansey, Hayner, Kuehnle, Lee, Lysen, Matthews, May, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Williams, Wilson.

Not voting: Representatives Becker, Blair, Bond, Chatalas, Juelling, Kilbury, Leckenby, Peterson, Wojahn.

Engrossed Substitute House Bill No. 1162, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the bill.

HOUSE BILL NO. 108, by Representatives Patterson and Hansen (by Department of Motor Vehicles request):

Increasing fee for duplicate license.

#### MOTION

On motion of Mr. Perry, the Committee on Transportation and Utilities was relieved of SENATE BILL NO. 2957, and SENATE BILL NO. 2957 was placed on the second reading calendar in lieu of House Bill No. 108.

SENATE BILL NO. 2957, by Senators Bottiger and Walgren:

Increasing fees for driver's licenses.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2957 was placed on final passage.

Mr. Perry spoke in favor of passage of the bill, and Mr. Eikenberry spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2957, and the bill passed the House by the following vote: Yeas, 63; nays, 26; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gilleland, Haley, Hanna, Hansen, Haussler, Hendricks, Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Chandler, Cochrane, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gaspard, Greengo, Hansey, Hawkins, Hayner, Hurley G. S., Kuehnle, Matthews, Nelson, Newhouse, Pardini, Polk, Smith R., Tilly, Valle, Warnke.

Not voting: Representatives Becker, Blair, Bond, Juelling, Kilbury, Leckenby, Peterson, Williams, Wojahn.

Senate Bill No. 2957, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 12, by Representatives Conner, Hendricks, Gaines, Bauer, Bausch, Bender, Ceccarelli, Clemente, Cochrane, Fortson, Gallagher, Haussler, Hurley (George), Kalich, Kilbury, Knowles, Martinis, May, McCormick, Moreau, North, Parker, Savage, Sherman, Smith (Edward), Smith (Rick), Valle, Laughlin, Deccio, Hansey, Schumaker and Barnes (by State Treasurer request):

Changing Viet Nam veterans' bonus laws.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-seventh Day, April 29, 1975.)

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended, along with amendments by committee on State Government. (For amendments, see Journal, Sixty-eighth Day ex. sess., May 20, 1975.)

On motion of Ms. Sommers, the committee amendments by committee on State Government were adopted.

On motion of Ms. Sommers, the committee amendment by Committee on Ways and Means – Appropriations to page 1, line 27 was adopted.

Ms. Sommers moved adoption of the committee amendment to page 4, line 3.

On motion of Ms. Sommers, the following amendment to the committee amendment was adopted:

Strike the Ways and Means – Appropriations committee amendments to page 4, line 3 and page 4, line 4 and substitute the following amendments:

On page 4, beginning on line 4 after "after" and before "drawn" on line 5 strike "~~((March 28, 1975;)) December 31, 1977, nor shall any warrant be~~" and insert "March 28, 1975 (~~(, nor shall any warrant be)~~) : PROVIDED, That certificates and claims for compensation filed by POW's, dependents of MIA's and survivors of those persons who have been continuously in said armed services for a period of five years or more immediately prior to August 5, 1964, shall be accepted until December 31, 1975. No warrant shall be"

On page 4, line 7 strike "on the day" and insert "((on the day)) as"

The committee amendment as amended was adopted.

On motion of Ms. Sommers, the balance of the committee amendments were adopted.

House Bill No. 12 was ordered engrossed.

On motion Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 12 was placed on final passage.

Representatives Conner and Hendricks spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 12, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Kuehne, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Brown, Jueling, Kilbury, Leckenby, Moon, Peterson, Wojahn.

Engrossed House Bill No. 12, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2501 as amended by the House, by Senators Rasmussen, Wanamaker and Donohue (by State Auditor request):

Permitting departmental post-audits at reasonable intervals.

The bill was read the second time. (For previous action, see Journal, Seventy-second Day ex. sess., May 24, 1975.)

On motion of Ms. Sommers, the second Ways and Means Committee amendment was adopted.

#### MOTION

On motion of Mr. Shinpoch, further action of Senate Bill No. 2501 as amended by the House was deferred and the bill was ordered held for tomorrow's second reading calendar.

## MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

May 27, 1975

ENGROSSED SUBSTITUTE HOUSE BILL NO. 198, Prime Sponsor: Representative Ceccarelli, amending the insurance code. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 22 after the enacting clause, insert a new section to read as follows:

"Section 1. Section 11, chapter 212, Laws of 1959 and RCW 31.08.175 are each amended to read as follows:

(1) No licensee shall require the purchasing of property insurance from the licensee or any employee, affiliate, or associate of the licensee or from any agent, broker, or insurance company designated by the licensee as a condition precedent to the making of a loan nor shall any licensee decline existing insurance which meets or exceeds the standards set forth in this section.

The licensee may require a borrower to insure tangible property offered as security for a loan hereunder against any substantial risk of loss, damage, or destruction for an amount not to exceed the reasonable value of the property insured or the amount of the loan and for the customary term approximating the term of the loan contract: PROVIDED, That no licensee hereunder may require such insurance on loans in an amount less than three hundred dollars. It shall be optional with the borrower to obtain such insurance in an amount greater than the amount of the loan or for a longer term. The premium for such insurance shall not exceed that fixed by current applicable manual of a recognized standard insurance rating bureau and such insurance shall be written by or through a duly licensed insurance agent or broker.

(2) A licensee may insure the life of one borrower, but only one of them if there are two or more obligors, for the unpaid principal balance scheduled to be outstanding; and regardless of the premium paid by the licensee, the licensee may charge not more than sixty cents per one hundred dollars per year computed on the original principal amount of the loan, excluding charges for the loan, when the loan contract requires substantially equal and consecutive monthly installments of principal and charges combined, and such charge may be in the same proportions for different payment schedules, maturities, and principal amounts: PROVIDED, HOWEVER, That if both husband and wife sign an obligation to repay the loan, each may be an insured borrower hereunder and a single identifiable insurance charge may be made by the licensee for the two jointly under a plan whereby both lives are insured but a death benefit is paid only upon the death of the spouse dying first. For such joint spouse coverage, the licensee may charge not more than one dollar per one hundred dollars per year computed on the same basis as herein prescribed for life insurance on one borrower. Such charge may be deducted from the principal of the loan when the loan is made. Only one such charge may be made in connection with any loan contract irrespective of the number of obligors, and only one obligor need be insured. If the insured obligor dies during the term of the loan contract, the insurance must pay the principal balance of the loan outstanding on the day of his death without any exception or reservation. The insurance shall be in force as soon as the loan is made. If the loan contract is prepaid in full by cash, a new loan, renewal, refinancing, or otherwise, a portion of such life insurance charge shall be rebated according to the method established in paragraphs (a) and (b) of subsection (3) of RCW 31.08.160. When charges for the loan are precomputed in accordance with subsection (3) of RCW 31.08.160, any required rebate and any permitted deferral charge may be computed on the combined total of the precomputed charge and the life insurance charge.

(3) If a borrower procures any insurance by or through a licensee, the statement required by RCW 31.08.170 shall disclose the cost to the borrower and the type of insurance, and the licensee shall cause to be delivered to the borrower a copy of the policy, certificate, or other evidence thereof within a reasonable time.

Notwithstanding any other provision of this chapter, any gain or advantage in any form whatsoever to the licensee or to any employee, affiliate, or associate of the licensee from any insurance or its sale or provision shall not be deemed to be additional or further interest, consideration, charges, or fee in connection with such loan.

Nothing in this section shall be deemed to alter, amend or repeal any provision of the insurance code.

No insurance shall be required, requested, sold, or offered for sale in connection with any loan made under this chapter, except as and to the extent authorized by this section."

Renumber remaining sections consecutively.

On page 5, section 6, line 31 strike all of subsection (3) and insert the following:

"(3) This section shall not apply with respect to any person securing and forwarding information required for the purposes of group ~~(insurance covering the unpaid balance, or remaining payments proposed to be made, in connection with the purchase of merchandise or securities, and where no commission or other compensation is payable on account of such insurance to such person)~~ credit life and credit disability insurance in connection with an extension of credit and such other credit life or disability insurance lines as the commissioner shall determine, and where no commission or other compensation is payable on account of the securing and forwarding of such information: PROVIDED, That the reimbursement of a creditor's actual expenses for securing and forwarding information required for the purposes of such group insurance shall not be considered a commission or other compensation if such reimbursement does not

exceed three dollars per certificate issued, or in the case of a monthly premium plan extending beyond twelve months, not to exceed three dollars per loan transaction revision per year."

On page 6, add a new section following section 8 as follows:

"Sec. 9. Section 5, chapter 119, Laws of 1974 ex. sess. and RCW 48.21.190 are each amended to read as follows:

RCW 48.21.160 through 48.21.190 and 48.44.240 as now or hereafter amended shall not apply to the renewal of a contract in force prior to the pertinent date provided for such contract under RCW 48.21.160 through 48.21.190 and 48.44.240 as now or hereafter amended where there exists a right of renewal on the part of the insured or subscriber without any change in any provision of the contract: **PROVIDED FURTHER**, That RCW 48.21.160 through 48.21.190 and 48.44.240 as now or hereafter amended shall not apply to contracts which provide only accident coverage, nor to any contract written as supplemental coverage to any federal or state programs of health care including, but not limited to, Title XVIII health insurance for the aged (commonly referred to as Medicare, Parts A and B), and amendments thereto."

Renumber the remaining sections consecutively.

On page 6, after section 9 added by the committee amendment, add a new section to read as follows:

"**NEW SECTION. Sec. 10.** There is added to chapter 48.44 RCW a new section to read as follows:

(1) All agreements entered into by health care contractors with or for the benefit of persons or groups of persons for health care services which are the same or similar to disability policies of insurance authorized by chapters 48.20 and 48.21 RCW, notwithstanding any other provisions in chapter 48.44 to the contrary, shall comply with the provisions of chapters 48.20 and 48.21 RCW relating to benefits for services performed by licensed practitioners of health care: **PROVIDED**, That prepaid group practice plans which deliver services directly to a voluntary enrolled group of members shall be exempt from such compliance: **PROVIDED FURTHER**, That the practitioners specified in RCW 48.20.390 to 48.20.414, inclusive, and RCW 48.21.130 to 48.21.144, inclusive, develop and implement programs of utilization and peer review for the purpose of evaluating frequency of services rendered and fees charged: **AND PROVIDED FURTHER**, That said programs must be mutually acceptable to the practitioner, the health care contractor, and the secretary of the department of social and health services: **AND PROVIDED FURTHER**, That if such mutually acceptable programs are not developed and implemented within six months after the effective date of this act, the secretary of the department of social and health services shall promulgate regulations establishing such programs according to the intent of this act.

(2) All contracts or agreements renewed, delivered, or issued more than one hundred twenty days after the effective date of this act shall comply with the intent thereof, and the insurance commissioner shall disapprove any contracts or agreements that are not in compliance therewith, and he shall promulgate such rules and regulations as are necessary to carry out the provisions of this act."

Renumber the remaining sections consecutively.

On page 10, add new sections following old-numbered section 11 as follows:

"Sec. 13. Section 4, chapter 119, Laws of 1974 ex. sess. and RCW 48.44.240 are each amended to read as follows:

Each group contract for health care services which is entered into, or renewed, on or after (~~January 1, 1975~~) the effective date of this 1975 amendatory act between a health care service contractor and the person or persons to receive such care shall contain provisions providing benefits for the treatment of alcoholism rendered to such person or persons by an alcoholic treatment facility which is an 'approved treatment facility' under RCW 70.96A.020(2).

**NEW SECTION. Sec. 14.** The purpose of sections 14 through 18 of this 1975 amendatory act is to provide reasonable standardization and simplification of terms and coverages of individual disability insurance policies to facilitate public understanding and comparison, to eliminate provisions contained in individual disability insurance policies which may be misleading or unreasonably confusing in connection either with the purchase of such coverages or with the settlement of claims, and to provide for full disclosure in the sale of disability coverages.

**NEW SECTION. Sec. 15.** There is added to chapter 48.20 RCW a new section to read as follows:

The commissioner shall issue regulations to establish specific standards, including standards of full and fair disclosure, that set forth the manner, content, and required disclosure for the sale of individual policies of disability insurance which shall be in addition to and in accordance with applicable laws of this state, including RCW 48.20.032, which may cover but shall not be limited to:

- (1) Terms of renewability;
- (2) Initial and subsequent conditions of eligibility;
- (3) Nonduplication of coverage provisions;
- (4) Coverage of dependents;
- (5) Preexisting conditions;
- (6) Termination of insurance;
- (7) Probationary periods;
- (8) Limitations;
- (9) Exceptions;
- (10) Reductions;
- (11) Elimination periods;
- (12) Requirements for replacement;
- (13) Recurrent conditions; and



(14) The definition of terms including but not limited to the following: Hospital, accident, sickness, injury, physician, accidental means, total disability, partial disability, nervous disorder, guaranteed renewable, and noncancellable.

**NEW SECTION.** Sec. 16. There is added to chapter 48.20 RCW a new section to read as follows:

(1) The commissioner shall issue regulations to establish minimum standards for benefits under each of the following categories of coverage in individual policies, other than conversion policies issued pursuant to a contractual conversion privilege under a group policy, of disability insurance:

- (a) Basic hospital expense coverage;
- (b) Basic medical-surgical expense coverage;
- (c) Hospital confinement indemnity coverage;
- (d) Major medical expense coverage;
- (e) Disability income protection coverage;
- (f) Accident only coverage; and
- (g) Specified disease or specified accident coverage.

(2) Nothing in this section shall preclude the issuance of any policy which combines two or more of the categories of coverage enumerated in items (a) through (f) of subsection (1) of this section.

(3) No policy shall be delivered or issued for delivery in this state which does not meet the prescribed minimum standards for the categories of coverage listed in items (a) through (g) of subsection (1) of this section, unless the commissioner finds such policy will be in the public interest and such policy meets the requirements set forth in RCW 48.18.110.

(4) The commissioner shall prescribe the method of identification of policies based upon coverages provided.

**NEW SECTION.** Sec. 17. There is added to chapter 48.20 RCW a new section to read as follows:

(1) No policy of individual disability insurance shall be delivered or issued for delivery in this state unless an outline of coverage described in subsection (2) of this section is furnished to the applicant in accord with such rules or regulations as the commissioner shall prescribe.

(2) The commissioner shall prescribe the format and content of the outline of coverage required by subsection (1) of this section. 'Format' means style, arrangement, and overall appearance, including such items as the size, color, and prominence of type and the arrangement of text and captions. Such outline of coverage shall include:

- (a) A statement identifying the applicable category or categories of coverage provided by the policy as prescribed in section 15 of this 1975 act;
- (b) A description of the principal benefits and coverage provided in the policy;
- (c) A statement of the exceptions, reductions and limitations contained in the policy;
- (d) A statement of the renewal provisions including any reservation by the insurer of a right to change premiums; and
- (e) A statement that the outline is a summary of the policy issued or applied for and that the policy should be consulted to determine governing contractual provisions.

**NEW SECTION.** Sec. 18. There is added to chapter 48.20 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 48.20.052, if an insurer elects to use a simplified application form, with or without a question as to the applicant's health at the time of application, but without any questions concerning the insured's health history or medical treatment history, the policy must cover any loss occurring after twelve months from any preexisting condition not specifically excluded from coverage by terms of the policy, and, except as so provided, the policy shall not include wording that would permit a defense based upon preexisting conditions.

**NEW SECTION.** Sec. 19. There is added to chapter 48.21 RCW a new section to read as follows:

(1) No group disability insurance policy which provides benefits for hospital, medical, or surgical expenses shall be delivered or issued for delivery in this state after the effective date of this 1975 act which contains any provision whereby the insurer may reduce or refuse to pay such benefits otherwise payable thereunder solely on account of the existence of similar benefits provided under any individual disability insurance policy, or under any individual health care service contract.

(2) No group disability insurance policy providing hospital, medical or surgical expense benefits and which contains a provision for the reduction of benefits otherwise payable thereunder on the basis of other existing coverages, shall provide that such reduction will operate to reduce total benefits payable below an amount equal to one hundred percent of total allowable expenses. The commissioner shall by rule establish guidelines for the application of this section, including: (a) The procedures by which persons insured under such policies are to be made aware of the existence of such a provision; (b) the benefits which may be subject to such a provision; (c) the effect of such a provision on the benefits provided; (d) establishment of the order of benefit determination; and (e) reasonable claim administration procedures to expedite claim payments under such a provision.

(3) The provisions of this section shall apply to health care service contractor contracts."

Renumber the remaining section as section 20.

On page 6, amend new section 10 added by the Senate amendment by Senator Day, at the end of subsection (1) after "compliance" insert "": PROVIDED FURTHER, That the practitioners specified in RCW 48.20.390 to 48.20.414, inclusive, and RCW 48.21.130 to 48.21.144, inclusive, develop and implement programs of utilization and peer review for the purpose of evaluating frequency of services rendered and fees charged: AND PROVIDED FURTHER, That said programs must be mutually acceptable to the practitioner, the health care contractor, and the secretary of the department of social and health services:

AND PROVIDED FURTHER, That if such mutually acceptable programs are not developed and implemented within six months after the effective date of this act, the secretary of the department of social and health services shall promulgate regulations establishing such programs according to the intent of this act"

In the title, line 1 after "insurance;" and before "amending" insert "amending section 11, chapter 212, Laws of 1959 and RCW 31.08.175;"

On page 1, line 13 of the title after "560;" and before "amending" on line 14 insert "amending section 5, chapter 119, Laws of 1974 ex. sess. and RCW 48.21.190;"

On page 1, line 19 of the title after "090;" strike the remainder of the title down to and including the period on line 20 and insert "amending section 4, chapter 119, Laws of 1974 ex. sess. and RCW 48.44.240; adding new sections to chapter 48.20 RCW; and adding a new section to chapter 48.21 RCW."

On page 1, line 19 of the title strike "and" and on line 20 after "48.20 RCW" insert "; and adding a new section to chapter 48.44 RCW"

Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Bagnariol, Chatalas, Lysen, McCormick, Parker.

To Committee on Rules for second reading.

May 27, 1975

ENGROSSED SUBSTITUTE HOUSE BILL NO. 413, Prime Sponsor: Representative Wojahn, implementing law to eliminate sex discrimination in the public schools. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, following section 7 strike all of sections 8, 9, 10, 11 and 12 (being the Senate amendment by Senator Stortini) and renumber the remaining section consecutively.

On page 1, line 3 of the title, following "thereof;" strike all of the material down to and including "declaring an emergency." (being the Senate amendment by Senator Stortini) and insert "and providing penalties."

Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Ehlers, Fortson, Gaspard, Haley, Hendricks, Hurley (George), Valle, Warnke, Whiteside.

To Committee on Rules for second reading.

May 26, 1975

HOUSE BILL NO. 1174, Prime Sponsor: Representative Kilbury, relating to agriculture. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Becker, Vice Chairwoman; Amen, Deccio, Erickson, Flanagan, Hansen, Hansey, Haussler, Laughlin, Schumaker, Tilly.

To Committee on Rules for second reading.

May 23, 1975

ENGROSSED SENATE BILL NO. 2020, Prime Sponsor: Senator Herr, establishing a state lottery, subject to referendum. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 10 of the engrossed bill, being line 8 of the printed bill, after "the" strike "general" and insert "current state school"

On page 8, line 6 of the engrossed bill, being line 5 of the printed bill, after "transferred to the" strike "state general" and insert "current state school"

On page 9, line 22 of the engrossed bill, being line 21 of the printed bill, after "the" strike "general fund" and insert "current state school fund as provided for in RCW 28A.41.020"

Signed by Representatives Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Gaines, Greengo, Kuehnle, O'Brien.

To Committee on Rules for second reading.

May 26, 1975

ENGROSSED SENATE BILL NO. 2735, Prime Sponsor: Senator Day, revising laws relating to care of mentally or physically deficient persons. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Becker, Cochrane, Eng, Fortson, Greengo, Haley, Hanna, Hendricks, Whiteside.

To Committee on Rules for second reading.

MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Wednesday, May 28, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 28, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Bond, Jueling, Lee, McCormick, Peterson and Smith (Rick) who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joan Powers and Jeff Ristvet. Prayer was offered by Father William Treacy of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE GOVERNOR

May 27, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one section, HOUSE BILL NO. 1075 entitled:

"AN ACT Relating to state funds."

This bill transfers balances in the general administration construction fund and public school building construction account to the state general fund.

Section 2 declares an emergency and provides for the act to take effect immediately. I have, on several recent occasions, expressed my increasing apprehension over repeated and unwarranted use of emergency clauses in bills that do not measure up the standard of urgency contained in Article II, section 1(b) of our Constitution. I have vetoed emergency clauses from such bills, and must do so again for the same reason in the case of this bill.

With the exception of section 2 which I have vetoed, the remainder of House Bill No. 1075 is approved.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

## MESSAGES FROM THE SENATE

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2006, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2047 and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2070, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2146, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2251, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2310, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2386, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2423, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2443, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2463, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2611, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2634, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2727, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2833, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2913, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE JOINT RESOLUTION NO. 101, and has passed the Resolution as amended by the House.

Bill Gleason, Assistant Secretary.

## REPORTS OF STANDING COMMITTEES

May 27, 1975

HOUSE BILL NO. 145, Prime Sponsor: Representative Warnke, setting forth a program to provide proper nutrition for school children. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Clemente, Vice Chairman; Bender, Boldt, Brown, Ehlers, Fortson, Gaspard, Haley, Hendricks, Hurley (George), Valle, Warnke, Whiteside.

To Committee on Rules for second reading.

HOUSE BILL NO. 1213, Prime Sponsor: Representative Warnke, relating to public employees retirement system. Reported by Committee on Rules.

To Committee on Ways and Means – Appropriations.

HOUSE BILL NO. 1215, Prime Sponsor: Representative Warnke, Relating to retirement systems. Reported by Committee on Rules.

To Committee on Ways and Means – Appropriations.

May 27, 1975

SUBSTITUTE SENATE BILL NO. 2469, Original Prime Sponsor: Senator Francis, revising law relating to handling of trusts by mutual savings banks. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Bagnariol, McCormick, Moon, Pardini, Parker.

To Committee on Rules for second reading.

May 27, 1975

SENATE BILL NO. 2944, Prime Sponsor: Senator Mardesich, permitting investment of public funds in the Asian development bank. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Fischer, Vice Chairman; Chatalas, Eikenberry, Lysen, McCormick, Pardini, Parker.

To Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MESSAGE FROM THE GOVERNOR

May 27, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

On this date I have approved SUBSTITUTE HOUSE BILL NO. 86 entitled:  
"AN ACT Establishing sales tax liability for certain government contractors."

This bill will extend the state sales tax to materials on labor employed in construction for the federal government. It is anticipated that this measure will increase state and local general fund revenues by approximately 10.2 million dollars per biennium.

While I have signed this measure, I have one serious reservation. This bill will extend the state sales tax to construction projects undertaken by housing authorities. This may well have

a negative impact on low income housing construction in this state, a consequence which I believe to be undesirable.

Therefore, while I am signing this measure into law I am requesting the Department of Revenue and the Office of Community Development to review the impact of this legislation on housing authorities and recommend either legislative or budgetary actions to be considered by the next session of the Legislature to minimize any negative impacts Substitute House Bill No. 86 may have on their activities.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 105,  
HOUSE BILL NO. 171,  
HOUSE BILL NO. 467,  
SUBSTITUTE HOUSE BILL NO. 788,  
HOUSE BILL NO. 1029.

#### SENATE AMENDMENTS TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 763 with the following amendments:

On page 1, line 9 after the period strike all matter down through the period on line 17 and insert "A delinquent juvenile shall be under the jurisdiction of the juvenile court or the authority of the department of social and health services beyond the child's eighteenth birthday only if the juvenile court has, prior to the juvenile's eighteenth birthday, found the juvenile to be delinquent and has extended the jurisdiction beyond the child's eighteenth birthday by written order setting forth its reasons therefor."

On page 1, line 19 strike "its"  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mrs. Hayner moved that the House do concur in the Senate amendments to Engrossed House Bill No. 763.

#### POINT OF INQUIRY

Mrs. Hayner yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Would concurrence as you have recommended have anything to do with the funding of delinquents over age 18 in group homes where they have been remanded by a court to those group homes? We have the problem of DSHS being unable to support those juveniles in those group homes after they have reached 18 even though they were still going to high school. We have done this by budget proviso the last few years; and we passed a bill out of the House several months ago to do this and it's hung up in the Senate somewhere. Is that subject matter involved in this bill?"

Mrs. Hayner: "There is nothing in this bill as to whether or not the Department has to support them; however, if the court does find that they are delinquent and there is a written order to the effect that they may be under the control of the court or the Department beyond their eighteenth birthday, I would assume that it would be the duty of the Department to take care of them."

Mr. Knowles spoke in favor of concurring in the Senate amendments, and the motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 763 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 763 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Flanagan, Juelling, Lee, McCormick, Patterson, Peterson, Smith R.

Engrossed House Bill No. 763 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Curtis moved that the House immediately consider the Message from the Senate regarding House Bill No. 988.

On motion of Mr. Charette, the motion by Mr. Curtis was laid on the table.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Curtis: "What effect does the motion to table have on House Bill No. 988? Does the motion to table take the bill with it?"

The Speaker (Mr. O'Brien presiding): "No, it doesn't. It doesn't have any effect on it."

#### MESSAGE FROM THE SENATE

May 22, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 172, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the report of the Free Conference Committee, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

May 15, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 172, standardizing the marking of public vehicles, have had the same under consideration and we recommend that the bill do pass with the Senate committee amendments including the following amendment to page 4, line 21 of the committee amendment:

On page 4, line 21 of the committee amendment strike "Any elected state official" and insert "Any state official elected on a state-wide basis"

Signed by Senators Rasmussen, Wanamaker, Woody; Representatives Sommers, Nelson, Chatalas.

#### MOTION

Ms. Sommers moved that the Report of the Free Conference Committee be adopted.

Representatives Sommers and Nelson spoke in favor of the motion, and the motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 172 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 172 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.



Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Juelling, Lee, McCormick, Peterson, Smith R.

Engrossed House Bill No. 172 as amended by the Free Conference Committee, having received the constitutiona! majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Bond, Juelling and Peterson, who were excused.

#### MESSAGE FROM THE SENATE

May 28, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 105,  
 HOUSE BILL NO. 171,  
 HOUSE BILL NO. 467,  
 SUBSTITUTE HOUSE BILL NO. 788,  
 HOUSE BILL NO. 1029,  
 SUBSTITUTE SENATE BILL NO. 2006,  
 SENATE BILL NO. 2047,  
 SENATE BILL NO. 2070,  
 SENATE BILL NO. 2146,  
 SUBSTITUTE SENATE BILL NO. 2251,  
 SENATE BILL NO. 2306,  
 SENATE BILL NO. 2310,  
 SENATE BILL NO. 2386,  
 SUBSTITUTE SENATE BILL NO. 2423,  
 SUBSTITUTE SENATE BILL NO. 2443,  
 SUBSTITUTE SENATE BILL NO. 2463,  
 SENATE BILL NO. 2611,  
 SENATE BILL NO. 2634,  
 SENATE BILL NO. 2698,  
 SUBSTITUTE SENATE BILL NO. 2727,  
 SUBSTITUTE SENATE BILL NO. 2833,  
 SENATE BILL NO. 2913,  
 SENATE BILL NO. 2957,  
 SENATE JOINT RESOLUTION NO. 101,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 27, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2090, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Bauer, the House refused to recede from its amendments to Engrossed Senate Bill No. 2090, and again asks the Senate to concur therewith.

MESSAGE FROM THE SENATE

May 27, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2346 on page 2, line 3, and refuses to concur in the amendments to page 2, line 17 and page 2, line 25, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Bauer moved that the House refuse to recede from its amendments to Engrossed Senate Bill No. 2346, and once again ask the Senate to concur therewith.

Representatives Bauer and Barnes spoke in favor of the motion, and the motion was carried.

MESSAGE FROM THE SENATE

May 27, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2623, and asks the House for a conference thereon, and the President has appointed as said conferees: Senators Day, North, Marsh.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Parker, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 2623.

Mr. Charette demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Speaker assumed the Chair.

The Clerk called the roll and all members were present except Representatives Blair, Bond, Jueling, Paris and Peterson.

MOTION

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

MESSAGE FROM THE GOVERNOR

May 15, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval HOUSE BILL NO. 102 entitled:  
"AN ACT Relating to purchasing and material control in state government."

This bill creates a supply management policy board which replaces the existing purchasing advisory committee established under RCW chapter 43.19. The new board is vested with wide-ranging policy-making responsibilities in the area of state government purchasing and material control.

The intent of the bill, insofar as it relates to centralizing and monitoring purchasing and supply management policies of state agencies, is both desirable and timely. Up to this time, there has been no clear statutory authorization for the Department of General Administration or any other state agency to effect cost-saving management policies in the area of purchasing

and supplies for state government. Nor has there been adequate staff funding to devise and implement sound management policies.

I cannot accept, however, the premise that the intent of the legislature can be better achieved through a twelve-member board consisting of diverse and potentially conflicting interests within state government. If anything, the assignment of significant policy responsibilities to such a large, part-time board will delay and inhibit the legislative directives set forth in the bill. I believe the task can be performed more thoroughly and efficiently by the Department of General Administration, particularly since the legislative mandate has been clearly defined and adequate staff funding provided. I would not hesitate to approve a bill substantially the same as House Bill No. 102 in which that department is charged with the policy responsibilities instead of a new and separate board. Such a bill might retain an advisory committee such as that existing under the present law to ensure that the department is aware of the needs and management capabilities of other state agencies.

For the foregoing reasons, I have determined to veto House Bill No. 102.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

#### MOTION

Mr. Shinpoch moved that the House do pass House Bill No. 102 notwithstanding the veto of the Governor.

Representatives Shinpoch and Polk spoke in favor of the motion, and Representatives Newhouse and Charette spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 102 notwithstanding the Governor's veto, and the bill passed the House by the following vote: Yeas, 63; nays, 30; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Brown, Chandler, Charette, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Kuehnle, Leckenby, Lee, Lysen, Matthews, Nelson, Newhouse, Pardini, Patterson, Randall, Smith E. P., Tilly, Whiteside, Williams, Zimmerman.

Not voting: Representatives Blair, Bond, Juelling, Paris, Peterson.

House Bill No. 102 notwithstanding the Governor's veto, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE SENATE BILL NO. 2006,  
SENATE BILL NO. 2047,  
SENATE BILL NO. 2070,  
SENATE BILL NO. 2146,  
SUBSTITUTE SENATE BILL NO. 2251,  
SENATE BILL NO. 2306,  
SENATE BILL NO. 2310,  
SENATE BILL NO. 2386,  
SUBSTITUTE SENATE BILL NO. 2423,  
SUBSTITUTE SENATE BILL NO. 2443,  
SUBSTITUTE SENATE BILL NO. 2463,  
SENATE BILL NO. 2611,  
SENATE BILL NO. 2634,  
SENATE BILL NO. 2698,  
SUBSTITUTE SENATE BILL NO. 2727,  
SUBSTITUTE SENATE BILL NO. 2833,  
SENATE BILL NO. 2913,  
SENATE BILL NO. 2957,

## SENATE JOINT RESOLUTION NO. 101.

## SENATE AMENDMENT TO HOUSE BILL

May 6, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 988 with the following amendment:

Strike all material after the enacting clause and insert the following:

"NEW SECTION. Section 1. In each year when a President of the United States is to be nominated and elected, there shall be held a presidential preference primary at which each voter shall have the opportunity to vote for any one candidate of any one major political party for nomination for President of the United States. Such vote may be cast for candidates placed on the ballot pursuant to section 2 of this act, or, in the alternative, for delegates and alternate delegates pledged to a specific presidential candidate or uncommitted and placed on the ballot pursuant to section 3 of this act.

The presidential preference primary shall be held on the fourth Tuesday in May of each presidential election year.

NEW SECTION. Sec. 2. The name of a candidate for a major political party nomination for president shall be printed in alphabetical order on the ballot if:

(1) The secretary of state shall have determined that the individual's candidacy is generally advocated or recognized in the national news media throughout the United States and shall have certified to the state chairman of each political party, on or before the sixtieth day preceding the presidential preference primary, the names of the individuals the secretary of state has determined to be recognized candidates for the nomination of that party to the office of president; or

Members of the political party of the candidate shall have presented a petition for nomination of such candidate which shall have attached thereto a sheet or sheets containing the signatures of at least a number of registered voters who declare themselves in the petition as being affiliated with the same political party as such presidential candidate, equal to one percent of the vote cast in the state for the candidate of such political party for president at the last presidential election, or at least three thousand such registered voters, whichever number is the greater. The petition shall be filed with the secretary of state not later than the forty-fifth day prior to the presidential preference primary. The signature sheets shall also contain the residence address and name or number of the precinct of each registered voter whose signature appears thereon and shall be certified to in the manner prescribed in RCW 29.79.200 and 29.79.210.

NEW SECTION. Sec. 3.

(1) Each political party shall select delegates and alternate delegates to its national nominating convention and apportion delegate votes by the method and under such rules and regulations as each such party may prescribe.

(2) The names of candidates for election as delegates and alternate delegates to a major political party's national nominating convention shall be printed on the presidential preference primary ballot if the state central committee of any such party so directs the secretary of state.

NEW SECTION. Sec. 4. If a state central committee chooses to elect delegates and alternate delegates pursuant to section 3 of this act, the following procedures shall apply to such election:

(1) Each person desiring to be a candidate for delegate or alternate delegate shall file with the secretary of state:

- (a) A declaration of candidacy,
- (b) A petition in a form prescribed by the secretary of state containing the signatures of at least five hundred registered voters residing in such person's congressional district, and
- (c) A statement declaring (i) the name of such person's preference for president or (ii) that such person is uncommitted. Such statement shall also appear on the face of each petition prior to its circulation for signatures.

(d) Authorization in writing from a presidential candidate for said person to be a candidate for delegate or alternate delegate pledged to such presidential candidate.

The filing period for the position of delegate or alternate delegate shall open the first Monday in April of each year in which a presidential preference primary is to be held and shall close on the first succeeding Friday.

(2) Each person who shall have filed as a pledged candidate for delegate or alternate delegate pursuant to subsection (1) of this section shall submit prior to the date of the presidential primary election the following pledge to the state chairperson of the appropriate major political party:

Delegate Pledge

I, \_\_\_\_\_, do hereby swear that I am a supporter of \_\_\_\_\_ for the office of the President of the United States; and that if elected as a delegate or alternate delegate to the \_\_\_\_\_ Party National Convention I shall do all that I can to advance the cause of said candidate at the national convention, and furthermore, I shall cast my ballot as a delegate to said convention for said candidate on the first two ballots unless released by said candidate.

(3) The names of candidates for delegate or alternate delegate who are pledged to their designated presidential candidate shall have their names appear together on the ballot in alphabetical order in conjunction with the names in alphabetical order of such presidential candidate. The names of candidates who are not pledged to any presidential candidate shall be listed together in alphabetical order on the ballot in

conjunction with their party designation and the designation of "uncommitted delegates or alternate delegates".

(4) If party rules so provide, candidates pledged to a presidential candidate pursuant to subsection (2) of this section shall appear on the ballot only if the number of said delegate and alternate candidates is greater than or equal to the total number of delegates and alternate delegates to be elected in this state or in each congressional district, as appropriate.

**NEW SECTION.** Sec. 5. Insofar as is practicable, and where the provisions of this chapter do not specifically indicate otherwise, the presidential preference primary shall be conducted in the same manner as a state primary, including the certification of the election returns by the state canvassing board: **PROVIDED,** That the requirement of rotation of names on the ballot shall not apply to the presidential preference primary election: **PROVIDED FURTHER,** That the secretary of state shall certify all names to appear on the presidential preference primary ballot to the respective county auditors on or before the fourth Tuesday in April of each presidential year. County auditors, at their discretion, may combine and consolidate two or more precincts for the purpose of conducting this election only: **PROVIDED,** That no voter shall be required because of such consolidation to go to a location different from that of the last election. The secretary of state as chief election officer may make rules and regulations in accordance with chapter 34.04 RCW to facilitate the operation, accomplishment, and purpose of this chapter.

**NEW SECTION.** Sec. 6. At a presidential preference primary, a voter may vote for no more than one presidential candidate, or for no more than the total number of delegates or alternate delegates to be elected in the state or congressional district, as appropriate. Any presidential preference primary ballot with any more than such votes shall be void.

Notwithstanding the provisions of RCW 29.18.200, in the event an election for delegates and alternate delegates shall be held pursuant to section 4 of this act, a voter may vote only for delegates and alternate delegates of the same political party. If any voter votes for delegates or alternate delegates of more than one party or for delegates and alternate delegates of one political party and a presidential candidate of another political party, all such votes shall be void. A plurality vote shall be sufficient to elect a delegate or alternate delegate to any national convention, and the allotted number of candidates receiving the highest number of votes shall be deemed elected.

Notice to the effect of the provisions of this section shall appear prominently on the face of each presidential preference primary ballot. Where voting machines or voting devices are in use, the notice shall be displayed on or about each machine or device.

**NEW SECTION.** Sec. 7. Whenever a presidential preference primary election is held as provided by this chapter, the state of Washington shall assume all costs of holding such election: **PROVIDED,** That if any other election or elections shall be held at the same time, the state shall be liable only for its prorated share. Each county auditor shall determine the election costs, including the state's prorated share, if applicable, and shall file a certified claim therefor with the state auditor. The state auditor shall compile such claims for presentation to the next succeeding legislature in the same manner as other legislative relief claims.

**NEW SECTION.** Sec. 8. The position of delegate or alternate delegate shall not be considered a public office for purposes of application of chapter 42.17 RCW, the Washington state public disclosure law.

**NEW SECTION.** Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 29RCW.

**NEW SECTION.** Sec. 10. If any provision of this 1975 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

Mr. Thompson moved that the House do concur in the Senate amendment to Engrossed House Bill No. 988.

Mr. Hawkins moved that the question be divided.

#### SPEAKER'S RULING

The Speaker: "The Speaker has done considerable checking on this matter and I think in light of attempting to be consistent with the Senate in this matter, because it is the following of a Joint Rule, Rule 7, and the Senate ruled that when you are considering differences you are considering amendments or amendment. This has come over to us as a single amendment; therefore, the Speaker will have to rule that it is not divisible. It is a single subject matter—the amendment. The recourse of the House on these matters would be to go into a conference if we decide to change any of the matter since it is as a single amendment."

The Speaker stated the question before the House to be the motion by Mr. Thompson to concur in the Senate amendment to Engrossed House Bill No. 988.

Mr. Thompson spoke in favor of the motion.

## MOTION

Mr. Pardini moved that all Republican members of the House be excused from the Call of the House.

Mr. Pardini spoke in favor of the motion, and Representatives Charette and Curtis spoke against it.

The motion was lost.

The Speaker stated the question before the House to be the motion to concur in the Senate amendment to Engrossed House Bill No. 988.

Representatives Hurley (George) and Hawkins spoke against the motion.

Mr. Chatalas demanded an oral roll call and the demand was sustained.

Representatives Bagnariol, King and Parker spoke in favor of the motion, and Representatives Douthwaite, Chandler, Sherman and Charnley spoke against it.

Mr. Thompson closed debate, speaking again in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendment to Engrossed House Bill No. 988, and the motion was carried by the following vote: Yeas, 51; nays, 42; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Martinis, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Shinpoch, Smith E. P., Smith R., Thompson, Valle, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hanna, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Leckenby, Lee, Lysen, Matthews, Maxie, Nelson, Newhouse, Pardini, Patterson, Polk, Schumaker, Sherman, Sommers, Tilly, Whiteside, Williams, Wilson.

Not voting: Representatives Blair, Bond, Juelling, Paris, Peterson.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 988 as amended by the Senate.

Mr. Thompson demanded an oral roll call and the demand was sustained.

Representatives Seeberger, O'Brien, Fortson and Thompson spoke in favor of passage of the bill, and Representatives Brown, Hawkins, Newhouse, Tilly, Curtis, Pardini, Kuehnle and Barnes spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 988 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 51; nays, 42; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Brown, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hanna, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Kuehnle, Leckenby, Lee, Lysen, Matthews, Maxie, Nelson, Newhouse, Pardini, Patterson, Polk, Schumaker, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Blair, Bond, Juelling, Paris, Peterson.

Engrossed House Bill No. 988 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

Mr. Kuehnle moved that the Judiciary Committee be relieved of Engrossed Substitute Senate Bill No. 2376, and the bill be placed on the bottom of today's second reading calendar.

Representatives Kuehnle and Eikenberry spoke in favor of the motion, and Mr. Knowles spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to relieve Judiciary Committee on Engrossed Substitute Senate Bill No. 2376, and the motion was lost by the following vote: Yeas, 32; nays, 61; not voting, 5.

Voting yea: Representatives Amen, Barnes, Berentson, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, North, Pardini, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Jueling, Paris, Peterson.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 172,  
HOUSE BILL NO. 763.

On motion of Mr. Charette, the House dispensed with further business under the Call of the House.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Parker, Bauer and Eikenberry as conferees on Engrossed Senate Bill No. 2623.

The Speaker appointed Representatives Adams, Eng and Haley as conferees on Engrossed Substitute House Bill No. 40.

The Speaker appointed Representatives North, Martinis and Lee as conferees on Substitute House Bill No. 762.

The Speaker called on Mr. O'Brien to preside.

## MOTIONS

Mr. Eikenberry moved that the House immediately consider HOUSE CONCURRENT RESOLUTION NO. 35.

On motion of Mr. Charette, the motion by Mr. Eikenberry was laid on the table.

SENATE BILL NO. 2501 as amended by the House, by Senators Rasmussen, Wanamaker and Donohue (by State Auditor request):

Permitting departmental post-audits at reasonable intervals.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, Seventy-second Day ex. sess., May 24, 1975; also, see yesterday's Journal.)

Mr. Shinpoch moved adoption of the following amendment:

On page 1, beginning on line 8 strike all remaining material, and insert the following:

"The state auditor, through the division of departmental audits, shall make a post-audit of every state department at such reasonable periodic intervals as he shall determine but in each case an audit shall be conducted every two years: PROVIDED, That for any state department whose biennial appropriation is less than (\$600,000) six hundred thousand dollars, such interval may exceed two years, but shall not exceed five years. A report of each post-audit upon completion thereof, shall be made in sextuplet, and one copy shall be transmitted to the governor, one to the director of the office of program planning and fiscal management, one to the attorney general, one to the state department audited, one to the legislative budget committee, and one shall be kept on file in the office of the state auditor."

Representatives Shinpoch and Sommers spoke in favor of the amendment, and it was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2501 as amended by the House was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2501 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Cochrane.

Not voting: Representatives Blair, Bond, Jueling, Paris, Peterson, Tilly.

Senate Bill No. 2501 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

Mr. Curtis moved that House Concurrent Resolution No. 35 be made a special order of business at 5:00 p.m. today.

On motion of Mr. Charette, the motion by Mr. Curtis was laid on the table.

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 860, by Committee on Transportation and Utilities (Originally sponsored by Representatives Perry and Patterson):

Relating to transportation studies.

The bill was read the third time and placed on final passage.

Mr. Perry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 860, and the bill passed the House by the following vote: Yeas, 76; nays, 13; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Parker, Patterson, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Chandler, Curtis, Eikenberry, Flanagan, Freeman, Haley, Hayner, Kuehne, Newhouse, Polk, Schumaker, Tilly.

Not voting: Representatives Blair, Bond, Deccio, Jueling, Lee, Pardini, Paris, Peterson, Williams.

Substitute House Bill No. 860, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.



MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Thursday, May 29, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 29, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Bond, Haley, Jueling and Lee, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ilene Petersen and Randy Asmussen. Prayer was offered to Father William Treacy of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE GOVERNOR

May 28, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 28, 1975, Governor Evans approved the following House Bill, entitled:

HOUSE BILL NO. 385: Increasing the assessment per head on cattle.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

## MESSAGES FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2574, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 28, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2737, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 28, 1975

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 479, and has passed the bill without the Senate amendment, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 28, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2106, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 28, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 2,  
 SUBSTITUTE HOUSE BILL NO. 67,  
 SUBSTITUTE HOUSE BILL NO. 126,  
 SUBSTITUTE HOUSE BILL NO. 184,  
 SUBSTITUTE HOUSE BILL NO. 212,  
 HOUSE BILL NO. 267,  
 SUBSTITUTE HOUSE BILL NO. 340,  
 HOUSE BILL NO. 423,  
 HOUSE BILL NO. 464,  
 HOUSE BILL NO. 530,  
 HOUSE BILL NO. 619,  
 SENATE BILL NO. 2106,  
 SECOND SUBSTITUTE SENATE BILL NO. 2241,  
 SUBSTITUTE SENATE BILL NO. 2574,  
 SUBSTITUTE SENATE BILL NO. 2737,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 988,  
 SENATE BILL NO. 2106,  
 SECOND SUBSTITUTE SENATE BILL NO. 2241,  
 SUBSTITUTE SENATE BILL NO. 2574,  
 SUBSTITUTE SENATE BILL NO. 2737.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

Mr. Charette moved that House Concurrent Resolution No. 35 be made a special order of business at 11:30 a.m. today.

#### MOTION

Mr. Pardini moved that the motion by Mr. Charette be amended, and that House Concurrent Resolution No. 35 be made an immediate special order of business.

Mr. Charette spoke in favor of the amendment to the motion, and it was carried.

The motion as amended was carried.

#### SPECIAL ORDER OF BUSINESS

HOUSE CONCURRENT RESOLUTION NO. 35, by Representatives Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson and Zimmerman:

Providing for the temporary adjournment of the legislature and establishing procedures for reconvening the legislature.

The resolution was read the second time.

Mr. Eikenberry moved adoption of the following amendment by Representatives Eikenberry, Berentson, Pardini, Deccio, Zimmerman, Haley, Amen, Wilson, Schumaker, Hansey, Hayner, Patterson, Gilleland, Chandler, Lee, Kuehnle, Polk, Greengo, Whiteside, Hendricks, Barnes and Dunlap:

On page 1, line 2 after "concurring," strike the remainder of the resolution and insert: "that commencing at 4:00 p.m. on Thursday, the 29th day of May, 1975, the 77th day of the first extraordinary session, except for appropriation and revenue bills, and measures relating to the solution of the school problem, and constitutional amendments, the Senate will only consider House bills and the House will only consider Senate bills, and each may consider matters of differences between the House and Senate; and

BE IT FURTHER RESOLVED, That after 4:00 p.m. on Friday, the 30th day of May, the 78th day of the first extraordinary session, neither the House nor the Senate shall consider any bills except appropriation and revenue bills, and constitutional amendments, and each may consider matters of differences between the House and Senate; and

BE IT FURTHER RESOLVED, That action on the bill under consideration at 4:00 p.m., Thursday, May 29, will be completed, and that action on the bill under consideration at 4:00 p.m., Friday, May 30th will be completed; and

BE IT FURTHER RESOLVED, That commencing at 4:00 p.m., Friday, May 30th, the only additional matters which will be considered by either house shall be messages pertaining to amendments, matters of difference between the House and Senate, conference and free conference reports, and matters relating to appropriation and revenue bills and matters incident and pertaining to the interim and to the closing of the business of the 44th session of the legislature; and

BE IT FINALLY RESOLVED, That at 5:00 p.m., Saturday, May 31, 1975, the two houses shall adjourn sine die." •

Mr. Eikenberry spoke in favor of the amendment, and Mr. Charette spoke against it.

The Speaker assumed the Chair.

Mr. Curtis spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### POINT OF PERSONAL PRIVILEGE

Mr. Curtis: "I wonder if it might be possible to ask that at least ten copies be made of the budget which Representative Bagnariol possesses so that some of us on this side of the aisle might have some copies? We have been told that it would not be available to us until much later on today."

The Speaker: "I'm sure if you talk to Representative Bagnariol, he will oblige you in some way."

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Greengo.

Mr. Greengo: "If you can't tell us when we are going to wind down, could you possibly tell us when you can tell us?"

Mr. Bagnariol: "It's anticipated (of course you know how time schedules go around here) that the Senate is going to try to pass their version of the budget today. The copy I have here is a copy of the budget as they went to their caucuses with it, so it's not the final version. They are going to attempt to pass that budget today and once we have that—"

The Speaker: "Representative Bagnariol, I don't really follow the debate in regard to this particular resolution, and I wish we would address ourselves to the amendment before us. I think the question is out of order."

Mr. Kuehnle moved adoption of the following amendment to the Eikenberry amendment:

On the last two lines strike "Saturday, May 31" and insert "Monday, June 2"

Representatives Kuehnle, Eikenberry and Polk spoke in favor of the amendment to the amendment, and Representatives Moon and Hurley (George) spoke against it.

Mr. Luders demanded the previous question, and the demand was not sustained.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Mr. Dunlap spoke in favor of the Kuehnle amendment to the Eikenberry amendment, and Mr. Kalich spoke against it.

Mr. Kuehnle closed debate, speaking again in favor of the amendment to the amendment.

#### MOTION

Mr. Thompson moved that further action on House Concurrent Resolution No. 35 be deferred, and that the resolution be made a special order of business for 10:15 a.m. tomorrow.

Mr. Thompson spoke in favor of the motion, and Mr. Pardini spoke against it.

Mr. Hansey demanded an electric roll call and the demand was sustained.

Mr. Kuehnle spoke against the motion by Mr. Thompson.

## ROLL CALL

The Clerk called the roll on the motion to defer further action on House Concurrent Resolution No. 35 and make it a special order of business for 10:15 tomorrow, and the motion was carried by the following vote: Yeas, 60; nays, 32; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansen, Hansey, Hayner, Hendricks, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Blair, Bond, Haley, Juelling, Lee, Sherman.

## SECOND READING

HOUSE BILL NO. 145, by Representatives Warnke, Bausch, Bauer, Charnley and Hendricks:

Setting forth a program to provide proper nutrition for school children.

The bill was read the second time.

## MOTION

On motion of Mr. Thompson, House Bill No. 145 was rereferred to Committee on Ways and Means - Appropriations.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 413 as amended by the Senate, by Committee on Education (Originally sponsored by Representatives Wojahn, O'Brien, Pardini, Sommers, Fortson, Valle, Brown, Haley, Lysen, Bagnariol and Maxie):

Implementing law to eliminate sex discrimination in the public schools.

The bill was read the second time.

## MOTION

Mr. Charette moved that further action on the bill be deferred, and the bill be placed on tomorrow's second reading calendar.

Representatives Charette and Newhouse spoke in favor of the motion.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "I understand Representative Charette's explanation of it being a question of conference between the House and the Senate to decide how to handle bills of this nature. Has the Speaker made a ruling as to whether the bills that have been rereferred to committee under House Rule 32, and are brought out now for the second reading calendar, are open for full amendment to the entire bill?"

The Speaker: "No, this is what Representatives Newhouse and Charette are addressing their remarks to, as to exactly what the scope of amendatory process should be, and how the bill should be proceeding through. The Speaker has talked to the attorney for President Cherberg and he is also working on this matter and we hope we can work out some sort of a general procedure so that people will realize just how the respective houses intend to handle this matter. Possibly in the future we will actually put this in the rules because it is a little vague at the present time."

Mr. Polk: "Will that also include the question of whether it will be treated as a matter of dispute or whether it will be treated as a bill?"

The Speaker: "Yes, because that is the vital part of exactly how we are going to handle these bills."

## POINT OF INFORMATION

Mrs. Hurley (Margaret): "When bills are listed on second reading calendar, then how is the membership to know whether they are really on second reading for purpose of amendment like all second reading bills, or just on second reading and we are not supposed to amend them?"

The Speaker: "I think this is what we are attempting to determine, whether we should handle these bills separately or if it should appear in the digest as to why the bill is on second reading."

Mrs. Hurley: "Will the House have an opportunity to help you decide?"

The Speaker: "I would imagine that the House always has the final decision as to rulings by the Chair. We are attempting to bring both sides in and we will in the Senate, too, so that we can work out something to live with for quite awhile. In other words, I would hope that the decision as to how we handle this is not just determined on this particular bill, but rather that it be a long-term way we want to handle bills, rather than any individual bill, Representative Hurley."

## MOTION

Mr. Kuehnle moved that Engrossed Substitute House Bill No. 413 be rereferred to Committee on Rules.

## SPEAKER'S RULING

The Speaker: "Representative Kuehnle, that motion is of the same rank as the motion presently pending to commit to a day certain. I think we would have to dispose of that motion first before we can move on your motion."

The motion by Mr. Charette to defer further action on the bill until tomorrow was carried.

## MOTION

Mr. Kuehnle moved that Engrossed Substitute House Bill No. 413 be rereferred to Committee on Rules.

The motion was lost.

HOUSE BILL NO. 1033, by Representatives Newhouse, Flanagan, Jastad and Haley:

Providing for two year probationary period for certificated employees with special hearing procedure upon nonrenewal of contract.

The bill was read the second time.

## MOTION

On motion of Mr. Thompson, further action on House Bill No. 1033 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 1174, by Representative Kilbury:

Relating to agriculture.

The bill was read the second time.

On motion of Mr. Kilbury, Substitute House Bill No. 1174 was substituted for House Bill No. 1174, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1174 was read the second time.

On motion of Mr. Gaspard, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1174 was placed on final passage.

Mr. Kilbury spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. King.

Mr. King: "What manner would be used to identify berries that would not be involved in interstate commerce?"

Mr. Kilbury: "The marking on the boxes and the flats would be used. It would be impossible to put them into jam or anything of that nature because that would almost certainly be going to interstate commerce."

Mr. King: "Isn't the determination of the jurisdiction of the interstate commerce made by the federal government at the present time, and isn't it true that they have extended jurisdiction even to safety affecting elevators which go up and down in a building? There is an application of legal principles, and my question is this: Do you feel that you have researched this thoroughly enough to know that by action of the state, we can avoid a federal jurisdiction?"

Mr. Kilbury: "I think so, but I could not assure you that is absolutely true."

#### POINT OF INQUIRY

Mr. Kilbury yielded to question by Mrs. Cochrane.

Mrs. Cochrane: "Is this considered all berries, or just strawberries?"

Mr. Kilbury: "No, this would be all berries."

Mrs. Cochrane: "Following up on Representative King's question, I'm not satisfied with the answer as the marking of the boxes. Who supervises from then on as to whether the boxes go out of state or intrastate?"

Mr. Kilbury: "Well, I would assume the boxes would be marked primarily for the fresh market and would not enter into interstate commerce. The processor would have to be assured or the sellers."

Representatives Moreau and Fortson spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Moreau yielded to question by Mr. Hansey.

Mr. Hansey: "I just wanted to get the legislative intent in here, that subsection (c) in section 2 says the secretary of agriculture or his designee certifies that there are not sufficient workers available. Was it the intention that the United States Secretary of Agriculture be the one to make that determination, or the state Director of Agriculture?"

Mr. Moreau: "The Washington state Director."

Mr. Deccio spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1174, and the bill passed the House by the following vote: Yeas, 85; nays, 7; not voting, 6.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Knowles, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeburger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Cochrane, Eng, King, Lysen, Shinpoch, Williams.

Not voting: Representatives Blair, Bond, Haley, Jueling, Lee, Newhouse.

Substitute House Bill No. 1174, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Kilbury, Substitute House Bill No. 1174 was ordered transmitted immediately to the Senate.

On motion of Mr. Nelson, the rules were suspended, and Representative Fortson's name was added as prime sponsor of Substitute House Bill No. 1174.

The Speaker called on Mr. Charette to preside.

ENGROSSED SENATE BILL NO. 2020, by Senator Herr:

Establishing a state lottery, subject to referendum.

The bill was read the second time.

#### QUESTION OF CONSIDERATION

Mr. Barnes raised the question of consideration on the second reading of Engrossed Senate Bill No. 2020.

The Speaker (Mr. Charette presiding) informed the House that if they voted yes they wished to consider the bill, and if they voted no they did not wish to consider it.

A division was called for.

#### ROLL CALL

The Clerk called the roll on the question of consideration of Engrossed Senate Bill No. 2020 on second reading, and the House indicated they wished to consider the bill by the following vote: Yeas, 54; nays, 37; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Ehlers, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Martinis, Maxie, May, McCormick, McKibbin, Moon, Newhouse, North, O'Brien, Perry, Savage, Seeburger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Wilson, Wojahn.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Brown, Chandler, Charnley, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Gilleland, Greengo, Hansey, Hayner, Hurley G. S., Kuehnle, Leckenby, Luders, Lysen, Matthews, Moreau, Nelson, Pardini, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Tilly, Valle, Whiteside, Williams, Zimmerman.

Not voting: Representatives Blair, Bond, Haley, Jueling, Lee, Parker, and Mr. Speaker.

#### POINT OF ORDER

Mr. Douthwaite: "Rule 82 requires that bills which stand to raise revenues by more than five million dollars over a four year period shall be acted upon by the whole Ways and Means Committee. I see by the bill report that it has gone to Commerce Committee only."

Mr. Moon spoke to the point of order, speaking in favor of rereferring the bill to Committee on Ways and Means.

#### POINT OF ORDER

Mr. Douthwaite: "I believe my point of order wasn't quite on target. The rules provide that all bills reported to the Ways and Means Committee must be reported by the whole Ways and Means Committee. A later point in the rule says, 'All bills including a direct appropriation must be referred to the Ways and Means Committee before appearing on the second reading calendar.' This bill does include a one and a half million dollar appropriation."

#### SPEAKER'S RULING (MR. CHARETTE PRESIDING)

The Speaker (Mr. Charette presiding): "Representative Douthwaite is referring to House Rule 82 and that portion of the rule states that all bills containing a direct appropriation must be referred to the Ways and Means Committee before appearing on the second reading calendar. In the opinion of the Speaker, the point is well taken."

Engrossed Senate Bill No. 2020 was rereferrred to Committee on Ways and Means.

Mr. O'Brien assumed the chair.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Bond and Jueling, who were excused.



## SECOND READING

SENATE BILL NO. 2292, by Senators Goltz, Gould and McDermott (by Superintendent of Public Instruction request):

Implementing the law relating to professional personnel in school districts, their certification and institutes or workshops.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Seventy-second Day ex. sess., May 24, 1975.)

On motion of Mr. Bauer, the committee amendments were adopted.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Senate Bill No. 2292 as amended by the House was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2292 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Brown, Hansey, Jueling, Leckenby, Lee, Lu ders, Nelson.

Senate Bill No. 2292 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Charette demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Blair, Bond and Jueling.

## MOTION

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

## THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2159 as amended by the House, by Committee on Transportation and Utilities (Originally sponsored by Senators Walgren, Wanamaker and Bottiger):

Pertaining to motor vehicle fuel taxes.

The bill was read the third time and placed on final passage.

Mr. Thompson demanded an oral roll call and the demand was sustained.

## MOTION

Mr. Leckenby moved that Engrossed Substitute Senate Bill No. 2159 as amended by the House be rereferred to Committee on Rules.

Representatives Leckenby and Chandler spoke in favor of the motion, and Mr. Perry spoke against it.

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2159 as amended by the House.

Mr. Perry spoke in favor of passage of the bill, and Ms. Lee spoke against it.

#### MOTION

Mr. Lysen moved that the rules be suspended and the bill be returned to second reading for the purpose of amendment.

Mr. Lysen spoke in favor of the motion.

#### SPEAKER'S ADMONITION

The Speaker (Mr. O'Brien presiding): "Rule 49 states in part, 'A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of the motion, and one member may briefly state the opposition to the motion.' You will hold your remarks to this vein and not open the main question for debate."

Mr. Perry spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and return Engrossed Substitute Senate Bill No. 2159 as amended by the House to second reading, and the motion failed by the following vote: Yeas, 26; nays, 69; not voting, 3.

Voting yea: Representatives Barnes, Brown, Chandler, Clemente, Cochrane, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Greengo, Hawkins, Hendricks, Hurley M., Kuehnle, Lee, Lysen, Matthews, Moon, Polk, Sherman, Smith E. P., Tilly, Valle, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Charette, Charney, Chatalas, Conner, Deccio, Dunlap, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith R., Sommers, Thompson, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Jueling.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2159 as amended by the House.

Representatives Savage and Berentson spoke in favor of the bill, and Mr. Brown spoke against it.

#### POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Deccio.

Mr. Deccio: "On the fact sheets which were given to us it says, 'Why is there a financing problem? Reduced gasoline consumption, revenue down.' The monthly report of the Research Council indicated that during the calendar year of 1973-74 there was a decrease of \$730,000. Information I received from the Treasurer's Office yesterday, indicated that revenues were up for the four months of this year compared to last year by over a million dollars. That's my question—the fact sheets indicate revenues are down, but the Treasurer's Office says they are up. It was my understanding that was the reason for the variable gas tax, because revenues were down and were steadily declining."

Mr. Perry: "Revenues, as anticipated, are down. The highway program years ago was put together with a 6 and 14 year program and it estimated a percentage of increase in motor vehicle fuel taxes every biennium. Myself and several other members of this House of Representatives questioned whether that was a valid assumption and we did this two and four years ago. The department came in with those assumptions that the growth of the fuel tax would always be there because there was plenty of gasoline, but there wasn't that much gasoline and the growth is still appreciably below the anticipated 1974 revenues. In other words, it's above what it was the year before, but it's still below the anticipated revenue in the fuel sales forecast that we have been going on for years. The other factor involved here is that there is a massive amount of inflation, as we all know, in the costs of repairing and constructing and reconstructing of highways and bridges. This is what we are looking at. We are looking at a budget here which is still below the last biennium's highway budget. We are not coming in here as it would be purported to pass a huge package; we've come in here to try to maintain the equilibrium of the Highway Department. The figures represented in this budget are 12% less than they were two years ago. There's a 12% decrease in the manpower."

Mr. Flanagan spoke against passage of the bill.

## POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Bausch.

Mr. Bausch: "Representative Perry, I speak to the fact of safety of highways—if this would happen to be defeated, wouldn't this have a tremendous effect on the highway safety program, such as the Randall Overpass and those various overpasses and safety features that we've had to have in the state? Would this have quite an impact on them?"

Mr. Perry: "It would have quite an impact on some of the roads which have been adjudged unsafe. There are a number of roads that are in the process—with the funds that are forthcoming from this measure—of straightening out, taking out dangerous curves, widening roads so they don't have to neck down into very dangerous traffic areas. There would be an appreciable loss of funds to the safety program."

Mr. Douthwaite spoke against passage of the bill.

Mr. Charette demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2159 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Adams, Amen, Bauer, Bausch, Becker, Berentson, Boldt, Ceccarelli, Charnley, Chatalas, Conner, Dunlap, Ehlers, Erickson, Fischer, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Haussler, Hayner, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Matthews, Maxie, McCormick, McKibbin, Nelson, Newhouse, O'Brien, Patterson, Perry, Peterson, Savage, Seeberger, Sherman, Smith R., Thompson, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Barnes, Bender, Brown, Chandler, Charette, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Eikensberry, Eng, Flanagan, Fortson, Freeman, Greeno, Hansey, Hawkins, Hendricks, Hurley M., Kuehne, Leckenby, Lee, Luders, Lysen, Martinis, May, Moon, Moreau, North, Pardini, Paris, Parker, Polk, Randall, Schumaker, Shipnepoch, Smith E. P., Sommers, Tilly, Valle, Warnke, Whiteside, Williams.

Not voting: Representatives Blair, Bond, Jueling.

Engrossed Substitute Senate Bill No. 2159 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2280 as amended by the House, by Committee on Transportation and Utilities (Originally sponsored by Senators Walgren, Bailey, North, Beck, Talley, Fleming, Sellar, Lewis (R.H.), Ridder, Jolly, Goltz, Morrison, Gould, Day, Henry, Stortini, Wanamaker and Washington):

Pertaining to financing municipal transportation systems.

The bill was read the third time and placed on final passage.

Mr. Perry spoke in favor of passage of the bill.

Mr. Charette demanded an oral roll call and the demand was sustained.

## POINT OF INQUIRY

Mr. Perry yielded to question by Ms. Cochrane.

Ms. Cochrane: "We've had several surveys and studies on public transportation in the Tri-city area, and the kind of transportation that they have in Seattle and the other larger areas we have found is not practical. We do have a very clear need for transportation that will serve the senior citizens, handicapped, children, etc., and it should be different from the kind of mass transit that you have in Seattle. Would it be possible to have elections or local option for small programs that would serve a different kind of transportation than normally we think of as mass transit?"

Mr. Perry: "Yes, Representative Cochrane, we had a bill prior to this one that was a county-wide bill for transit, and that definitely did not serve the needs of areas such as yours. Two years ago we had a study which your people from the Tri-cities area were involved in, and the findings of that study were that until we got transit benefit areas such as this where a mixture of the local officials would decide upon what type of a transportation district they wanted and then submit that to a vote of the people, you were pretty well hung up in conventional transportation. Specifically, the only dial-a-ride experiments I know of in the

country have been funded by the DOT, and that money is not available for those full funding demonstration dial-a-rides. To my knowledge, there isn't a dial-a-ride in the country that is operating solely with local moneys and some federal participation—80% for equipment. You could, under your auspices with the state money and the local money, get a capital grant for equipment, but I doubt you could get a demonstration grant from the federal government. This bill has the flexibility to allow that."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2280 as amended by the House, and the bill passed the House by the following vote: Yeas, 75; nays, 20; not voting, 3.

Voting yea: Representatives Adams, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Savage, Seeburger, Sherman, Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Charette, Curtis, Deccio, Eikenberry, Flanagan, Freeman, Gaspard, Hayner, Kuehle, Newhouse, Polk, Randall, Schumaker, Shipoch, Smith E. P., Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Jueling.

Engrossed Substitute Senate Bill No. 2280 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2937** as amended by the House, by Committee on Transportation and Utilities (Originally sponsored by Senator Walgren):

Relating to transportation taxation.

The bill was read the third time and placed on final passage.

#### POINT OF ORDER

Mr. Flanagan: "This bill raises the general fund tax, the motor vehicle excise tax, and in a four year period it increases revenue by more than forty million dollars. House Rule 82 says that any bill that increases or lowers revenues by five million dollars or more over a four year period must be acted upon and reported by the whole Ways and Means Committee. This bill has never been in the Ways and Means Committee."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Rule 82 states in part, 'That all bills, memorials, and resolutions, referred to the subcommittee on Appropriations or Revenue and Taxation of the Ways and Means . . .' and then it goes on further about the four year period and the raising and lowering of revenue by five million dollars. This pertains to all bills, memorials and resolutions referred to the Committee on Ways and Means and in this case, Engrossed Substitute Senate Bill No. 2937 was referred to the Committee on Transportation and Utilities, where all bills of this nature have been sent for a long period of time, and tradition has been established that all bills pertaining to motor vehicle excise taxes have been consistently considered by the Committee on Transportation and Utilities. This bill was never considered by the Committee on Ways and Means and we have never referred it to such a committee, and the rules don't require it be referred to the Committee on Ways and Means, and so the Committee on Transportation and Utilities has rightly considered this bill and it comes out as a do pass recommendation from that committee. Your point of order is not well taken."

Mr. Flanagan: "This is not a highway tax. The motor vehicle excise tax is not now and has never been a highway tax. It has always been a general fund tax and it originally was a property tax; and we substituted an excise tax for it. The money goes into the general fund—the part that is not distributed to cities and counties—and it is not a highway tax. Therefore if this kind of a bill is not referred to Ways and Means, I don't see what kind of a bill would be referred there."

The Speaker (Mr. O'Brien presiding): "If you will review Rule 82, you will find that there is latitude in referring the bill and rightfully so, to Transportation and Utilities. Your point of order is not well taken."

## POINT OF ORDER

Mr. Randall: "I would like to refer to a different point of order concerning the same bill and the same rule. The rule reads, and I am going on our interpretation with Senate Bill No. 2020 this morning, 'All bills including a direct appropriation must be referred to the Ways and Means Committee before appearing on the second reading calendar.' On page 5 of the bill, section 5, lines 11 and 12 it reads, 'All revenue credited to the public transportation account shall be appropriated. . . .' That sixteen million dollars is a direct appropriation in the bill and the point of order should be considered."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "House Rule 82 says that all bills containing a direct appropriation must be referred to the Ways and Means Committee before appearing on the second reading calendar. Your point of order is not well taken, because of two things: The bill is now on third reading and apparently the bill does not contain a direct appropriation. It just sets up the mechanism on how the appropriation will be subsequently made by the Ways and Means Committee. Your point of order is not well taken."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2937 as amended by the House.

Mr. Perry spoke in favor of passage of the bill.

## MOTION

Mr. Randall moved that Engrossed Substitute Senate Bill No. 2937 be rereferred to Committee on Ways and Means - Revenue.

Representatives Randall and Flanagan spoke in favor of the motion, and Mr. Charette spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Substitute Senate Bill No. 2937 as amended by the House to Committee on Ways and Means - Revenue, and the motion was lost by the following vote: Yeas, 42; nays, 53; not voting, 3.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bausch, Chandler, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Freeman, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., King, Kuehnle, Lee, Lysen, Matthews, Moon, Nelson, Newhouse, North, Pardini, Paris, Parker, Polk, Randall, Schumaker, Shinpoch, Smith E. P., Tilly, Valle, Whiteside, Williams.

Voting nay: Representatives Adams, Bauer, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Eng, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Jastad, Kalich, Kilbury, Knowles, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, O'Brien, Patterson, Perry, Peterson, Savage, Seeberger, Sherman, Smith R., Sommers, Thompson, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Juelling.

## MOTION

Mr. Newhouse moved that the Committee on Ways and Means - Appropriations be relieved of Engrossed Substitute Senate Bill No. 2535, and that the bill be placed on the calendar for immediate consideration.

Mr. Newhouse spoke in favor of the motion, and Representatives Perry and Shinpoch spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to relieve the Committee on Ways and Means - Appropriations of Engrossed Substitute Senate Bill No. 2535 for immediate consideration, and the motion was lost by the following vote: Yeas, 36; nays, 59; not voting, 3.

Voting yea: Representatives Amen, Barnes, Berentson, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gaspard, Hanna, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon,

Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Juelling.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2937 as amended by the House.

Mr. Charette demanded an oral roll call and the demand was sustained.

Mr. Zimmerman spoke in favor of passage of the bill, and Representatives Eikenberry and Flanagan spoke against it.

Mr. Perry closed debate, speaking again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2937 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Gallagher, Gilleland, Greengo, Haley, Hansen, Haussler, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Maxie, McKibbin, North, Pardini, Paris, Patterson, Perry, Peterson, Savage, Seeberger, Sherman, Smith R., Sommers, Thompson, Zimmerman.

Voting nay: Representatives Amen, Bausch, Boldt, Brown, Chandler, Charette, Cochrane, Curtis, Deccio, Eikenberry, Flanagan, Freeman, Gaines, Gaspard, Hanna, Hansey, Hawkins, Hayner, Hendricks, Hurley M., Kuehnle, Lysen, Martinis, Matthews, May, McCormick, Moon, Moreau, Nelson, Newhouse, O'Brien, Parker, Polk, Randall, Schumaker, Shinpoch, Smith E. P., Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Juelling.

Engrossed Substitute Senate Bill No. 2937 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, all bills passed to this point in the proceedings were ordered transmitted immediately to the Senate.

The Speaker assumed the Chair.

#### MOTIONS

On motion of Mr. Conner, the House dispensed with further business under the Call of the House.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

#### SUBSTITUTE HOUSE BILL NO. 479.

On motion of Mr. Charette, the House reverted to the sixth order of business.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard and Newschwander):

Making certain corrections and adjustments in the tax laws.

The bill was read the second time.

Committee on Ways and Means – Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-ninth Day ex. sess., May 21, 1975.)

Mr. Randall moved adoption of the committee amendment to the body of the bill.

Mr. Newhouse moved adoption of the following amendment to the committee amendment:

On page 1, after "county" on line 17 strike "enumerated in RCW 70.33.040" on line 18 and insert "~~(enumerated in RCW 70.33.040)~~ in the state of Washington"

Mr. Newhouse spoke in favor of the amendment, and Ms. Sommers spoke against it.

## POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Lysen.

Mr. Lysen: "Before we start on these amendments, I would like to know on the main bill how much new tax revenue is raised right now before we start all these amendments?"

Mr. Randall: "To those amendments that would raise or lower revenues as it covers them, I can address that. Right now this has no impact at all—this amendment or the change the House made to the Senate bill have no impact whatsoever."

Mr. Tilly spoke against adoption of the amendment to the committee amendment.

## POINT OF ORDER

Mr. Moon: "I would like to raise a point of order relative to Rule 82. I think we are all aware that this bill has gone through the Revenue Committee and it does raise more than five million dollars over a four year period. Rule 82 says that if any bill goes through the Revenue Committee and has a revenue impact of more than five million dollars over a four year period then it must be acted upon by the full Ways and Means Committee."

## SPEAKER'S RULING

The Speaker: "Representative Moon, Representative Randall has informed me that the bill does have an impact of more than five million dollars, so your point of order is well taken."

Engrossed Substitute Senate Bill No. 2736 was rereferred to Committee on Ways and Means.

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2048, by Committee on Parks and Recreation (Originally sponsored by Senators Knoblauch, Wanamaker, Bailey, Jones and Beck):

Revising laws on boating.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, Seventy-fifth Day ex. sess., May 27, 1975.)

On motion of Mr. Randall, the Parks and Recreation Committee amendment to page 4, line 8 was adopted.

Mrs. Hurley (Margaret) moved adoption of the committee amendment to page 4, line 32.

Mrs. Hurley spoke in favor of the amendment, and Mr. Hansey spoke against it.

The amendment was adopted.

On motion of Mrs. Hurley (Margaret) the committee amendment to page 5, line 14 was adopted.

Mrs. Hurley moved adoption of the committee amendment to page 5, line 15, and spoke in favor of it.

## POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mr. Eikenberry.

Mr. Eikenberry: "My question has to do with the fact that apparently hand-propelled craft under twenty feet are exempted from the registration sections of this bill as it now stands, and yet I take it the purpose of placing an individual on the council who does represent the segment of the boating population who operate hand-propelled craft is because of the fact that they nevertheless will come under the scope of the bill so far as rules and regulations that are going to be passed?"

Mrs. Hurley: "Yes, they would have to follow all the rules and regulations that were adopted."

## POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "I am a little confused as to how this thing is going to work. If I read the bill correctly, it calls for the creation of a marine council which consists of seven members and then subsection (a) says that six shall be owners of and experienced in the operation of

recreation watercraft and subsection (b) says that at least two shall be owners of sailing boats, two owners of outboard motor boats and two owners of vessels having inboard motor propulsion and then one shall be experienced in recreational marine sales and service and one shall be a local law enforcement officer. It has stipulated the types of individuals—we have named eight of them and there are only seven on the council. In reality, unless we assume there is an overlap between subsections (a), (b) and (d) we have already named fourteen and now we are adding another one. How do you do that with seven members?"

Mrs. Hurley: "This is true and I don't like it that way, but one person would have to comply with two of the regulations in a number of instances. I might say that this was done especially so that they could practically predict who the members of the Marine Council would be. This is what 'they,' and when I say 'they' I mean the people who helped write the bill, the people who dictated the provisions of the bill, and the people who are pleased with the way the bill is before we amend it, actually want it. As I say, they can almost predict the names of the people who are going to be on this council and that's the way it was written. Somebody will have to double up; a number of them will have to double up to comply with these requests."

#### POINT OF INQUIRY

Mrs. Hurley yielded to question by Mr. Leckenby.

Mr. Leckenby: "It seems to me that there are some other problems that might occur in subsection (a) and (b) on page 5, because it says that six shall be owners of and experienced in the operation of recreational watercraft and then it says that at least two shall be owners of and experienced in the operation of sailing craft or auxiliary sailing craft and then down below it says outboard motor boats—a person could have an outboard motor boat that was also a sailing craft so the auxiliary part of the previous section could qualify one person for the outboard part and the same could be true of the inboard qualifications. There's a whole mishmash there."

Mrs. Hurley: "I'm afraid you're right, and it's the same answer that I gave to Representative Kuehne, that these people who qualify for this council would have to fulfill not one, but maybe two or three qualifications in order to be appointed to the council."

Mr. Leckenby: "But you wouldn't necessarily need six owners to qualify for these three categories, because one owner could qualify for two categories, like sailboats and inboard motor boats at the same time."

Mrs. Hurley: "This was a very tender portion of the bill."

The committee amendment was adopted.

On motion of Mrs. Hurley, the committee amendments to page 6, line 8 and page 6, line 22 were adopted.

Mrs. Hurley moved adoption of the committee amendment to page 12, adding a new section.

Mr. Hansey moved adoption of the following amendment to page 12 to the committee amendment:

On line 3 of the committee amendment after "established," insert "and make available to the county in which the individual resides,"

Representatives Hansey and Hurley (Margaret) spoke in favor of the amendment to the committee amendment, and it was adopted.

The Speaker stated the question before the House to be the committee amendment as amended to page 12.

Mrs. Hurley spoke in favor of the amendment as amended, and Mr. Freeman spoke against it.

#### POINT OF INQUIRY

Mrs. Hurley (Margaret) yielded to question by Mrs. Hayner.

Mrs. Hayner: "I'm somewhat interested in this concept, but I'm also concerned about the policy we are setting and what is involved in setting up regulations and who will give the tests and what it might cost."



Mrs. Hurley: "At the present time Parks and Recreation does have a safety education course. This, of course, is not mandatory and we have never complied with the federal laws to qualify for federal funds. This bill takes it out of Parks and Recreation and puts it into the Marine Council. As far as I know, Parks and Recreation has never given a test of any kind, but this would require education somewhat the way they are doing it now in the schools and in connection with the schools. It wouldn't have to be in effect of course, although it would be within the rules and regulations that were adopted by this Marine Council to require that courses could be given by contract and could be set up like courses for handling guns. Children go down to the sheriff's office and take a course in handling guns and the test is given and when they comply with it, then they are entitled to handle a gun. The rules and regulations weren't, and the tests are not, expected to increase the costs of this bill."

Mr. O'Brien spoke in favor of the amendment as amended.

Mr. Freeman moved adoption of the following amendment by Representatives Freeman and Randall to the committee amendment to page 12:  
On line 2 after "course." strike the rest of the section.

Representatives Freeman and Randall spoke in favor of the amendment to the committee amendment, and Representatives Charnley, Hurley (Margaret) and Martinis spoke against it.

Mr. Pardini demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Freeman and Randall to the committee amendment to Engrossed Third Substitute Senate Bill No. 2048, and the amendment was not adopted by the following vote: Yeas, 25; nays, 40; not voting, 33.

Voting yea: Representatives Adams, Berentson, Chandler, Charette, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Flanagan, Freeman, Gallagher, Gaspard, Hansey, Laughlin, Lee, Matthews, McCormick, Nelson, Peterson, Randall, Schumaker, Smith R., Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Bausch, Becker, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Erickson, Fischer, Fortson, Greengo, Haley, Hansen, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, Leckenby, Martinis, May, McKibbin, Moon, O'Brien, Pardini, Perry, Savage, Seeberger, Smith E. P., Sommers, Thompson, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representatives Amen, Bagnariol, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Deccio, Gaines, Gilleland, Hanna, Haussler, Hayner, Jueling, King, Knowles, Kuehnle, Luders, Lysen, Maxie, Moreau, Newhouse, North, Paris, Parker, Patterson, Polk, Sherman, Shipoch, Valle, Whiteside, Williams.

The Speaker stated the question before the House to be the committee amendment as amended.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment as amended to page 12 of Engrossed Third Substitute Senate Bill No. 2048, and the amendment was adopted by the following vote: Yeas, 54; nays, 15; not voting, 29.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Greengo, Haley, Hansen, Hansey, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Leckenby, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, O'Brien, Pardini, Randall, Savage, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Zimmerman.

Voting nay: Representatives Chandler, Deccio, Freeman, Gaspard, Hayner, Lee, Matthews, McCormick, Nelson, Peterson, Schumaker, Warnke, Whiteside, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Barnes, Bender, Berentson, Blair, Boldt, Bond, Brown, Chatalas, Conner, Dunlap, Gilleland, Hanna, Haussler, Jueling, Kuehnle, Laughlin, Luders, Newhouse, North, Paris, Parker, Patterson, Perry, Polk, Sherman, Valle, Williams, Wilson.

## MOTION

On motion of Mr. Charette, the House reverted to the fourth order of business.

## INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2500, by Committee on Labor (Originally sponsored by Senators Mardesich, Matson, Lewis (R.H.), Bailey, Gould, North and Ridder):

Enacting the education employment relations act.

To Committee on Rules.

## MOTION

Mr. Randall moved that Engrossed Third Substitute Senate Bill No. 2048 be rereferred to Committee on Ways and Means.

Mr. Randall spoke in favor of the motion, and Representatives Nelson and Hurley (Margaret) spoke against it.

The motion was carried, and Engrossed Third Substitute Senate Bill No. 2048 was rereferred to Committee on Ways and Means.

## MOTIONS

On motion of Mr. Charette, House Bill No. 1124 was rereferred from Committee on State Government to Committee on Agriculture.

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Friday, May 30, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SEVENTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 30, 1975.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Blair, Bond, Curtis, Eikenberry, Haley, Hayner and Valle. Representatives Blair, Bond, Curtis, Haley, Hayner and Valle were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kerri Osterman and Darcy Peterson. Prayer was offered by Father William Treacy of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE GOVERNOR

May 29, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to two sections SUBSTITUTE HOUSE BILL NO. 527 entitled:

"AN ACT Relating to water pollution from petroleum spills."

This bill provides, among other things, safety standards for oil tankers and other precautionary measures for prevention of major oil spills in Puget Sound and adjacent waters.

Section 4 of the bill authorizes the Utilities and Transportation Commission to implement the provisions of the act by rules and regulations. I am puzzled over this delegation of major responsibility to the commission, which has had no previous experience or expertise in the area. Nor is there funding provided which might allow the commission to do a creditable job in this new field of responsibility. Elsewhere in the bill a study is authorized on the desirability of transferring the duties and responsibilities of the Board of Pilotage Commissioners to the Utilities and Transportation Commission or any other appropriate state agency. Until there are findings determined in such study which confirm the need to assign the responsibility of implementing and enforcing the provisions of this act to the commission, I am not willing to allow a situation to exist where separate agencies in state government have substantially overlapping duties in this area of increasing importance without clear direction from the Legislature.

Section 7 provides an expiration date for the act of June 30, 1978. Few would disagree that this state must soon decide and act on long range solutions to the problems created by the transportation of oil in massive quantities in Puget Sound waters. By passing this bill, the Legislature has decided that at least in the near future, oil tankers exceeding 125,000 dead-weight tons should not be permitted to enter these waters. The study provided in section 5 may well offer some additional alternatives. The expiration date, however, rather than encouraging all parties to develop sound long range solutions, would instead discourage such efforts. This state could, conceivably, find itself in the second half of 1978 faced with unprecedented supertanker traffic in Puget Sound waters with all the attendant hazards but without any capability to prevent or reduce the risks of oil spills likely to produce catastrophic and permanent damage to the unique environment of the area.

The expiration date would also leave the oil industry and others affected in an untenable state of uncertainty over permissible and impermissible activities in the transportation of oil into this area. Neither public nor private interests would be benefited by such uncertainty.

For the foregoing reasons, I have determined to veto sections 4 and 7 of the bill. With the exceptions of those sections, the remainder of the bill is approved.

Respectfully submitted,

DANIEL J. EVANS, Governor.

## POINT OF ORDER

Mr. Pardini: "Yesterday there was a special order of business established for this body at 10:15 this morning. Are we going to take that up or what is the plan?"

The Speaker : "Your point is well taken."

## SPECIAL ORDER OF BUSINESS

The hour having arrived, the Speaker stated the question before the House to be consideration of House Concurrent Resolution No. 35 on second reading.

## HOUSE CONCURRENT RESOLUTION NO. 35:

The House resumed consideration of the resolution on second reading.

The Speaker stated the question before the House to be the amendment by Representative Kuehnle to the amendment by Representative Eikenberry and others.

## MOTION

Mr. Pardini moved that further action on House Concurrent Resolution No. 35 be deferred, and the resolution be made a special order of business at 4:00 p.m. today.

Representatives Pardini and Charette spoke in favor of the motion, and it was carried.

## MESSAGE FROM THE GOVERNOR

May 29, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 29, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 15: Extending special immunities to pharmacists.

HOUSE BILL NO. 42: Including irrigation districts in the interlocal cooperation act.

HOUSE BILL NO. 189: Authorizing water district commissioners to establish mileage reimbursement for official travel.

SUBSTITUTE HOUSE BILL NO. 239: Protecting employee's insurance benefits.

HOUSE BILL NO. 305: Staggering renewal date for motor vehicle registration.

HOUSE BILL NO. 388: Permitting the sheriff to determine the method of serving papers.

HOUSE BILL NO. 422: Permitting tax adjustments upon property destroyed at any time during the year.

HOUSE BILL NO. 468: Abolishing the state armory fund and directing revenue to state general fund.

HOUSE BILL NO. 475: Amending state higher education personnel law to allow participation of director of the office of program planning and fiscal management on items having financial impact.

HOUSE BILL NO. 480: Creating the department of labor and industries revolving fund.

SUBSTITUTE HOUSE BILL NO. 484: Authorizing superior court judges in class AA counties to transfer to the county the administration of juvenile program.

Sincerely,

CHI-DOOH LI, Legal Counsel.

## MESSAGES FROM THE SENATE

May 29, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 40, and the President has appointed as Senate conferees thereon: Senators Day, Buffington, McDermott.

Bill Gleason, Assistant Secretary.

May 29, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 606,  
ENGROSSED HOUSE BILL NO. 1026,  
SUBSTITUTE HOUSE BILL NO. 1141,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 29, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 172,  
SUBSTITUTE HOUSE BILL NO. 479,  
HOUSE BILL NO. 763,  
HOUSE BILL NO. 988,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 28, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 47, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

May 28, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 47, broadening definition of urban areas eligible for urban arterial funds, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to adopt the following amendments in lieu of the Senate amendments on page 1, line 10 and on page 1, line 12:

On page 1, line 10 of the engrossed bill after "approval of" strike "the federal department of the secretary of transportation" and insert "the secretary of the United States department of transportation"

On page 1, line 13 of the printed bill beginning with "as determined" strike all material down to and including "management" on line 14.

Signed by Senators Bottiger, Walgren, Bluechel; Representatives North, Hansen, Gilleland.

MOTION

On motion of Mr. Hansen, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

May 27, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 127, and asks the House for a conference thereon, and the President has appointed as said conferees: Senators Francis, Sellar, Grant, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Sommers, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Joint Resolution No. 127.

MESSAGE FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 95, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the report of the Free Conference Committee, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

May 22, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 95, adding a new chapter which revises all statutes relating to eggs and egg production, have had the same under consideration, and we recommend that the Senate amendment be adopted with the following amendments:

On page 1 of the Senate amendment, line 7 after "through" strike "38" and insert "39"

On page 15 of the Senate amendment following line 18 insert a new subsection as follows:

"(c) The sale of eggs by any poultry producer from his own flocks directly to a household consumer exclusively for use by such consumer and members of his household and his nonpaying guests and employees, and the transportation, possession, and use of such eggs in accordance with this subsection;"

Reletter the remaining subsection.

On page 18 of the Senate amendment, beginning on line 23 strike all of subsections (4) and (5) and renumber the remaining subsection consecutively.

On page 20 of the Senate amendment, beginning on line 1 after "34." strike all material down to and including "hens." on line 7 and insert "The provisions of this chapter shall not apply to the sale of eggs by any egg producer with an annual egg production from a flock of three thousand or less hens."

Signed by Senators Day, Goltz, Sellar; Representatives Becker, Boldt, Haley.

## MOTION

On motion of Ms. Becker, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 95 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 95 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 80; nays, 1; not voting, 17.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Lee.

Not voting: Representatives Bagnariol, Blair, Bond, Chandler, Curtis, Eikenberry, Erickson, Haley, Hayner, Hendricks, Luders, May, Nelson, Patterson, Peterson, Shipoch, and Mr. Speaker.

Engrossed House Bill No. 95 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate refuses to recede from its amendment to ENGROSSED HOUSE BILL NO. 173 on page 1, line 22 and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Stortini, Gould, Odegaard.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Charette, the House granted the request of the Senate for a conference on Engrossed House Bill No. 173.

## MESSAGE FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 205, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

May 28, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 205, redesignating intermediate school districts with their attendant boards and officials as educational service districts, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to make the following changes:

That the Senate amendment to page 107, line 33 be adopted; that the three Senate amendments to page 11 not be adopted; and that the following amendments be adopted in lieu thereof:

On page 11, line 9 after "in the" strike "number and" and insert "((number and))"

On page 11, following line 18 insert a new paragraph as follows:

"Consistent with the purposes of RCW 28A.21.010 the state board may recommend at any time it deems advisable or upon petition of any educational service district board changes in the number of educational service districts including a proposed equitable adjustment and transfer of the property, assets and liabilities among the educational service districts involved. Prior to recommending changes in the number of educational service districts, the duties and responsibilities of which may be increased or decreased by such proposed changes, the state board shall hold at least one public hearing on such proposed change and shall consider any recommendations thereon: PROVIDED, HOWEVER, That changes in the number of educational service districts shall not be made except with the express approval of the legislature."

Signed by Senators Odegaard, Gould, Stortini; Representatives Bauer, Erickson, Eikenberry.

## MOTION

On motion of Mr. Bauer, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## SENATE AMENDMENTS TO HOUSE BILL

May 23, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 733 with the following amendments:

On page 1, line 17 after "town" and before the period insert ": PROVIDED, HOWEVER, That no such solid waste processing and conversion plant now in existence or hereafter constructed may be condemned"

On page 1, line 17 after "town" and before the period insert ": PROVIDED FURTHER, That contracts relating to the processing and conversion of solid waste into valuable and useful products and the sale thereof shall take place only after receipt of competitive written offerings by such city or town subject to final approval by the legislative authority of such city or town; and be it further provided that after the award of such processing, conversion or sale contract all competitive offerings and other documentary material considered in connection therewith shall become matters of public record"

On page 1, line 17 after the period add the following paragraph:

"Agreements relating to systems and plants for the processing and conversion of solid wastes to useful products and agreements relating to sale of such products shall be in compliance with RCW 35.21.120 and shall be entered into only after public advertisement and evaluation of competitive offerings."

On page 1, line 29 after "town" and before the period insert ": PROVIDED, HOWEVER, That no such solid waste processing and conversion plant now in existence or hereafter constructed may be condemned"

On page 1, line 29 after "town" and before the period insert ": PROVIDED FURTHER, That contracts relating to the processing and conversion of solid waste into valuable and useful products and the sale thereof shall take place only after receipt of competitive written offerings by such city or town subject to final approval by the legislative authority of such city or town; and be it further provided that after the award of such processing, conversion or sale contract all competitive offerings and other documentary material considered in connection therewith shall become matters of public record"

On page 1, line 29 after the period add the following paragraph:

"Agreements relating to systems and plants for the processing and conversion of solid wastes to useful products and agreements relating to sale of such products shall be in compliance with RCW 35.21.120 and shall be entered into only after public advertisement and evaluation of competitive offerings."

On page 2, line 2 beginning with "Any" strike everything down to and including "to" on line 5 and insert "Nothing in this act will relieve a city of its obligations to comply with the requirements of" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Haussler, the House concurred in the Senate amendments to Engrossed House Bill No. 733.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 733 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 733 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Curtis, Eikenberry, Erickson, Haley, Knowles, Luders, May, Moreau, Nelson, Valle.

Engrossed House Bill No. 733 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, the House advanced to the sixth order of business.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 413 as amended by the Senate, by Committee on Education (Originally sponsored by Representatives Wojahn, O'Brien, Pardini, Sommers, Fortson, Valle, Brown, Haley, Lysen, Bagnariol and Maxie):

Implementing law to eliminate sex discrimination in the public schools.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Seventy-sixth Day ex. sess., May 28, 1975.)

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, Engrossed Substitute House Bill No. 413 is a House bill amended by the Senate. My point of order is, after ruling on scope and object and sending the bill to committee, may the committee adopt further House amendments on that bill?"

#### SPEAKER'S RULING

The Speaker: "Representative Newhouse, the rule in question is quite vague on exactly how the House is to handle the matter, because it says that it shall be handled or follow the course of an original bill, but if we are going to consider the differences between the House and the Senate, which we are, then I think that in order to continue considering it as a difference, the only thing the committee is to study is the new matter that is brought in that changes the scope. It isn't beyond the scope in regard to the legal language or limitations by law, but it did change the scope and because it did change the scope we are interpreting that it went to the committee for consideration for recommendations as to the Senate amendments and to the House action on those, to either reject or concur."

Mr. Newhouse: "Then the only three recourses open to the committee would be to recommend to the House to concur, to not concur or to fail to pass the bill?"



The Speaker: "Yes, this was the procedure in regard to Senate Bill No. 27 in 1972, page 533 of the Senate Journal. You'll find that this is the procedure that the Judiciary Committee did in the Senate on a judges' bill—they came back out and recommended the various actions in regard to acceptance or rejection of the various House amendments to the Senate bill."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Newhouse: "This body would then, following committee action, take each individual amendment separately?"

The Speaker: "I think that each one of the Senate amendments are before us as we normally would handle them on concurrence. This is the way they handled them in the Senate in 1972 when faced with the same problem. Really we are considering the second reading calendar and it would almost take the place of the motion to concur or not to concur, and then the third reading would be the final passage in regard to the bill, asking the Senate either to recede or accepting the Senate amendments and passing the bill."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, if the Chair has already ruled that the Senate amendment was beyond the scope and object of the bill, under what procedure could the committee come back and recommend that the House accept a Senate amendment which is beyond the scope and object of the bill?"

The Speaker: "I think if you'll read your rule, it says it changes the scope and object, not beyond the scope and object, so therefore we are interpreting this as the reason the rule is there—so that if you change the scope and object, you send it to our committee for full consideration—if the committee wants a hearing or if they want to investigate it—and if we are going to consider it as a difference, then if there are to be any changes in the Senate amendments, or any changes in the bill, then that is what our conference committee procedure is for and that's what the committee would have to recommend after full hearing on this changed matter—they would recommend that we go to a conference for the following changes, or etc. It gives our committee a chance to look at the new material, to hold hearings on it, so that they can either kill the bill by not acting or come out with recommendations to the body exactly as to what the new matter is and their reactions thereto."

Mr. Polk: "It would appear to me, or I would at least draw the Chair's attention, that Rule 32 and Rule 33 should be read in conjunction with Article II, section 19 of the state Constitution which reads that no bill shall embrace more than one subject. Therefore, it's not merely a matter of changing the scope and object, but is a matter of being beyond the scope and object."

The Speaker: "This is a legal requirement that the Speaker can't rule on. I think we have a normal procedure as far as the objects are concerned. The matter came out of the Senate, changed the scope of the bill, and so it's up to the House to decide after committee hearings just how or what action we want to take on the changed matter. In other words, we are taking the position that this is talking about differences between the House and the Senate, and we are going to consider the differences and if we can consider the differences, then I think this is what we are limited to in our action. I can understand that there is plenty of confusion; any way you'd go on this particular matter leaves a state of confusion, and all we're trying to do is set up a procedure that we know we are going to follow until we've had a chance to change the rules and spell it out exactly how we want it done. I think the rules leave a lot to be desired."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "If, on House Bill No. 413 which is the subject matter before us, the committee recommends that we do, in fact, adopt the Senate amendments, this body then votes on those on a second reading and a third reading calendar, is that the same effect as agreeing to a conference committee report?"

The Speaker: "Yes. In other words, I think—and this is just putting the procedure on top, trying to combine our procedures—what we are really doing on second reading is considering whether or not we are going to concur or not concur in the various Senate amendments. Then on third reading we will treat the bill as if we are acting to send the message back to the Senate or passing the bill, if we have accepted all of the Senate amendments."

Mr. Pardini: "It would then also, I would assume, lead to the proposition that on the second reading the bill is not subject to any other amendments?"

The Speaker: "That's true—just whether or not we want to concur or not concur in the Senate amendments. The same rule as far as dividing would apply. These committee amendments are coming out as, and should be considered as, a move to either concur or not to concur with the various Senate amendments."

#### POINT OF ORDER

Mrs. Hurley (Margaret): "If Engrossed Substitute House Bill No. 413 is not available for amendment by members, then it has no proper position on second reading of bills and it just contributes to the confusion in the minds of the members. It should have been among those bills in conflict between the houses."

The Speaker: "Your point is well taken as far as confusion is concerned, Representative Hurley, but in reading the rules, it does lead to confusion, because it is talking about differences; it's talking about the scope of the amendments; talking about referring it because it's beyond the scope, and if we want to consider them as differences, then we are considering at this time, until such time as the House has a chance to concur and clarify the way the procedure is, that second reading is merely the area in which the House moves to concur or not to concur in the Senate amendments. Then it will have to go to third reading for the final action of the House. It's an artificial thing that we have put in, trying to interpret the rules so that they will work as closely as possible to both the original course of a bill and how we handle concurrences or differences between the houses. If I had my druthers I would rather have the committee look at the matter, report it back to the dispute calendar and handle it as a difference, but the trouble is the language says 'course of action of an original bill.' It doesn't say that it will be treated as an original bill, but only shall follow that course of action."

Mr. Bauer moved that the House do concur in the Senate amendments to page 2, line 12; page 2, line 30; and page 2, line 35; and do not concur in the Senate amendments to page 1, line 3 and page 3, adding new sections and ask the Senate to recede therefrom.

(For Senate amendments, see Journal, Seventy-fourth Day ex. sess., May 26, 1975.)

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Kuehnle: "I'm still trying to interpret your ruling relative to this special handling procedure where we now have a different class of bills on the second reading calendar. If my understanding is correct, the only difference between having moved a bill in dispute to committee and then back on the floor with recommendations from that committee relating to adopting or not adopting Senate amendments (the same procedure could be followed, and has normally been followed relative to bills in dispute, without running the bill off to committee)—the only difference that I can see is that by virtue of having moved the bill to committee you have removed from your hands as the Speaker your ability to rule on scope and object, and you have removed from the members' hands here their ability to challenge on the basis of scope and object. Is there anything else that is affected by the process of shuffling it off to committee and back again?"

The Speaker: "I think several things. The bill then goes through the committee procedure. The committee procedure is what we are trying to maintain. The committee has a chance to look at the new matter, hold hearings, make recommendations. The Rules Committee has a chance to look at it after the committee recommendations; it has a chance to look at it after the House action on those recommendations; and so it is a combination of trying to keep intact as much as possible, the seemingly conflicting verbiage in the rules."

Mr. Kuehnle: "But haven't we, in the past, had that same option available to a committee to meet and discuss the subject matter of a bill in dispute in order for a committee chairman to come forth with those recommendations?"

The Speaker: "Not formally. We've done it informally many times while we are holding them on the desk. In the past, normally, the rulings would have had a tendency to kill the bill because it usually comes at such a late date that the bill doesn't have a chance to come back out. The only other instance we have that we could find in the books was the one that the Senate did in the 1972 session."

## MOTION

Mr. Berentson moved that the House concur in all of the Senate amendments.

Mr. Berentson spoke in favor of the motion, and Representatives Bauer and Ehlers spoke against it.

Mr. Berentson spoke again in favor of the motion to concur in all of the Senate amendments.

## POINT OF INQUIRY

Mr. Bauer yielded to question by Mrs. Hurley (Margaret).

Mrs. Hurley (Margaret): "I find this whole thing a little bit confusing. I have a mimeographed page of the amendments that you did adopt. Is that right?"

Mr. Bauer: "Yes."

Mrs. Hurley: "I can't find any place where you did or did not adopt and encompass in what was delivered to us this morning the amendment by Senators Gould, Stortini and North to page 2, line 35. What happened to that?"

Mr. Bauer: "When House Bill No. 413 came back to us as a consequence of the Chair's ruling on scope and object, the instructions of the committee were that we could go a couple ways on this. First we could treat it as an original bill. I guess I made the interpretation, as Chairman of the Committee, that an original bill meant a bill as it came innately from the House. That would be the House version of House Bill No. 413. We then adopted those amendments of which you are speaking, those Senate amendments that are common and applicable to House Bill No. 413, and we did not treat those amendments from section 8 on down that deal with Senate Bill No. 2210, because we felt that by our inaction to those amendments, it would be the same as striking them. In other words, we had original House Bill No. 413 before us and we added the three amendments necessary for House Bill No. 413 and we thought that by not doing anything to the other amendments, section 8 on, it would be, in fact, the same as striking those amendments. That's how we sent the bill back to the floor of the House. As I understand, another interpretation was that the original bill, as you interpret an original bill that comes to committee with the scope and object problem, is a bill that is the original House version plus all the language hung on in both houses. Had that been the interpretation of the Chairman of the committee, and I made that decision, then our committee would have adopted or concurred in those Senate amendments of which you speak and recommended to the House to not concur in those Senate amendments contained in sections 8, 9, 10, 11 and 12—essentially Senate Bill No. 2210."

Mrs. Hurley (Margaret): "I don't think you have answered my question. I'm not worried about Senate Bill 2210—I'm going to let someone else worry about that. What I'm really worried about, and I can't find in the mimeographed version of what you brought out of your committee as a compilation of House Bill No. 413 and the Senate amendments, are the amendments—"

The Speaker called on Mr. O'Brien to preside.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Has Mr. Bauer moved to concur in the Senate amendments to page 2, line 35? I believe that's the question Mrs. Hurley is trying to reach, and I believe he has made the motion that we do concur in that amendment."

The Speaker (Mr. O'Brien presiding): "Yes, he did."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Berentson that the House concur in all of the Senate amendments.

Mr. Pardini spoke in favor of the motion, and the motion did not carry.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Mr. Bauer's motion to concur in part of the Senate amendments, and not concur in others.

Mr. Bauer spoke in favor of the motion, and the motion was carried.

## MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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 AFTERNOON SESSION
 

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Bond, Charette, Curtis, Hayner, Lysen, May, Newhouse and Valle. Representatives Blair, Bond, Curtis, Hayner, Lysen, Newhouse and Valle were excused.

## MESSAGE FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate refuses to recede from its amendment to ENGROSSED HOUSE BILL NO. 774, and ask the House for a conference thereon, and the President has appointed as Senate conferees: Senators Day, Scott, Wilson.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Warnke, the House granted the request of the Senate for a conference on Engrossed House Bill No. 774.

## MESSAGE FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate has receded from its amendments to HOUSE BILL NO. 796 on page 1, lines 9, 15 and 16, and page 1, line 21, and adheres to its position on the amendment to page 1, line 10, and once again asks the House to concur, and the bill, together with the Senate amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendment to page 1, line 10.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 796 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 796 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Bond, Curtis, Eikenberry, Hayner, Luders, May, Moon, Newhouse, Wojahn.

House Bill No. 796 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

May 27, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2401, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Savage, the House refused to recede from its amendments to Engrossed Senate Bill No. 2401, and asked the Senate for a conference thereon.

## MESSAGE FROM THE SENATE

May 27, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2840, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Knowles moved that the House do recede from the two floor amendments to Engrossed Senate Bill No. 2840, and not recede from the committee amendments.

On motion of Mr. Knowles, further action on Engrossed Senate Bill No. 2840 was deferred until Monday.

## MESSAGE FROM THE SENATE

May 27, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 2862, and asks the House to recede therefrom and said bill, together with the House amendment thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Haussler moved that the House do recede from its amendment to Engrossed Senate Bill No. 2862.

Representatives Haussler and Conner spoke in favor of the motion, and Representatives Tilly, Haley, Leckenby and Peterson spoke against it.

Mr. Conner demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Becker, Blair, Bond, Charette, Curtis, Hayner, Lysen, May, Newhouse, Valle and Wojahn.

## MOTION

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion that the House do recede from its amendment to Engrossed Senate Bill No. 2862.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "The motion before us is recede from the House amendment to the Senate bill; therefore am I correct in assuming that if I wanted to establish Memorial Day as the fourth Monday of May, I would vote against this motion?"

The Speaker (Mr. O'Brien presiding): "Yes."

## ROLL CALL

The Clerk called the roll on the motion to recede from the House amendment to Engrossed Senate Bill No. 2862, and the motion was carried by the following vote: Yeas, 50; nays, 37; not voting, 11.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Chatalas, Clemente, Cochrane, Conner, Deccio, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley M., Jastad, Kalich, Kilbury, Knowles, Laughlin, Martinis, Maxie, McCormick, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Brown, Chandler, Charnley, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hendricks, Hurley G. S., Jueling, King, Kuehnle, Leckenby, Lee, Luders, Matthews, McKibbin, Nelson, Pardini, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Sommers, Thompson, Tilly, Whiteside.

Not voting: Representatives Becker, Blair, Bond, Charette, Curtis, Hayner, Lysen, May, Newhouse, Valle, Wojahn.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker stated the question before the House to be final passage of Engrossed Senate Bill No. 2862 without the House amendment.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2862 without the House amendment, and the bill passed the House by the following vote: Yeas, 73; nays, 14; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Bender, Berentson, Boldt, Ceccarelli, Charnley, Chatalas, Clemente, Cochrane, Deccio, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, McCormick, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Brown, Chandler, Conner, Douthwaite, Dunlap, Eikenberry, Freeman, Haley, Jueling, Kuehnle, McKibbin, Sherman, Williams.

Not voting: Representatives Becker, Blair, Bond, Charette, Curtis, Hayner, Lysen, May, Newhouse, Valle, Wojahn.

Engrossed Senate Bill No. 2862 without the House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Conner, the House dispensed with further business under the Call of the House.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) announced the appointment of the following conferees on Engrossed House Bill No. 774: Representatives Parker, Dunlap and O'Brien.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

## SENATE AMENDMENTS TO HOUSE BILL

May 29, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 866 with the following amendments:

On page 1, beginning with line 16 strike the remainder of the bill and insert the following:

"NEW SECTION. Sec. 2. FOR THE LEGISLATURE

General Fund Appropriation .....	\$	2,563,000
Total Appropriation .....	\$	2,563,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$7,500 for the senate ethics committee.
- (2) \$7,500 for the house ethics committee.
- (3) \$10,000 for Western Forest Practices Task Force.
- (4) \$542,000 for data base operation and staffing.

(5) \$1,006,000 for the accounting system and central data base modification.

(6) \$990,000 for special projects and studies, including, but not limited to, special fiscal audit surveys, energy research, hazardous wastes, economic development, civil service position control, pension studies, and common school financing.

**NEW SECTION. Sec. 3. FOR THE LEGISLATIVE BUDGET COMMITTEE**

General Fund Appropriation .....	\$	741,915
Total Appropriation .....	\$	741,915

**NEW SECTION. Sec. 4. FOR THE STATUTE LAW COMMITTEE**

General Fund Appropriation .....	\$	2,428,726
Total Appropriation .....	\$	2,428,726

**NEW SECTION. Sec. 5. FOR THE SUPREME COURT**

General Fund Appropriation .....	\$	2,747,967
Total Appropriation .....	\$	2,747,967

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$399,115 shall be expended for expenses incurred in perfecting appellate review of indigent cases.

**NEW SECTION. Sec. 6. FOR THE LAW LIBRARY**

General Fund Appropriation .....	\$	807,639
Total Appropriation .....	\$	807,639

**NEW SECTION. Sec. 7. FOR THE COURT OF APPEALS**

General Fund Appropriation .....	\$	2,571,699
Total Appropriation .....	\$	2,571,699

The appropriation contained in this section shall be subject to the following condition or limitation: \$15,000 may be expended for the purpose of determining an appropriate site to construct a facility for Division I of the court and priority consideration shall be given to a site adjacent to the University of Washington School of Law.

**NEW SECTION. Sec. 8. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund Appropriation—State .....	\$	4,929,944
General Fund Appropriation—Federal .....	\$	170,912
Total Appropriation .....	\$	5,100,856

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$50,000 shall be expended for criminal cost bills, including prior claims.
- (2) Not more than \$25,000 shall be expended for obligations incurred during the 1973-75 biennium.
- (3) Not more than \$74,560 shall be expended for judges pro tem for the superior courts and the administrator for the courts shall authorize and approve all such expenditures.
- (4) \$3,641,992 for superior court judges.
- (5) \$659,380 for judges' retirement fund contributions in accordance with RCW 2.12.060.

**NEW SECTION. Sec. 9. FOR THE JUDICIAL COUNCIL**

General Fund Appropriation .....	\$	166,204
Total Appropriation .....	\$	166,204

**NEW SECTION. Sec. 10. FOR THE OFFICE OF THE GOVERNOR**

General Fund Appropriation .....	\$	1,661,691
Total Appropriation .....	\$	1,661,691

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$1,358,293 for executive operations.
- (2) \$20,000 for investigation and emergency purposes to be distributed on vouchers approved by the governor.
- (3) \$190,690 for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives when approved by the governor, including prior claims and for legal services as determined by the attorney general.
- (4) \$92,708 for mansion maintenance.

**NEW SECTION. Sec. 11. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS**

General Fund Appropriation—State .....	\$	105,640,918
General Fund Appropriation—Federal .....	\$	12,962,742
Special Fund Salary Increase Revolving Fund Appropriation .....	\$	41,087,810
Total Appropriation .....	\$	159,691,470

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$630,000 for the governor's emergency fund to be allocated for the purpose of carrying out the critically necessary work of any agency.
- (2) Not more than \$700,000 may be allotted by the governor for survey and installation purposes.
- (3) \$20,000 for the Interstate Nuclear Compact.

- (4) \$2,000 for the Advisory Commission on Intergovernmental Relations.  
 (5) \$100,340 for the Council on State Governments.  
 (6) \$60,000 for Governor's Transition.  
 (7) \$75,000 for the National Guard Association Conference.

(8) Not more than \$117,016,320 in general fund moneys (including \$12,962,742 in federal funds) shall be expended for continuation during the 1975-77 biennium of the salary increases which were granted effective March 1, 1975 pursuant to section 2, chapter 9, Laws of 1975 to state classified and higher education classified employees, state employees exempt from the classified service, faculty and exempt employees of the four year units of higher education and the community college system, excluding student employees not under the jurisdiction of the state personnel board or higher education personnel board classification systems, and commissioned members of the Washington state patrol. Such salary increase funds include increments, or their equivalent, that may be granted by the individual institutions of higher education.

(9) Not more than \$41,087,810 in Special Fund Salary Increase Revolving Fund moneys shall be expended for continuation during the 1975-77 biennium of the salary increases granted pursuant to section 2, chapter 9, Laws of 1975, and to facilitate payment of such increases the state treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Salary Increase Revolving Fund, in accordance with schedules provided by the office of program planning and fiscal management.

(10) It is the intent of the legislature that no funds contained in the appropriations made by this section shall be expended for Alternatives for Washington purposes.

**NEW SECTION. Sec. 12. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation .....	\$	102,434
Total Appropriation .....	\$	102,434

**NEW SECTION. Sec. 13. FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund Appropriation .....	\$	472,112
Total Appropriation .....	\$	472,112

**NEW SECTION. Sec. 14. FOR THE SECRETARY OF STATE**

General Fund Appropriation .....	\$	2,109,690
Total Appropriation .....	\$	2,109,690

The appropriation contained in this section shall be subject to the following condition or limitation: \$572,000 shall be expended exclusively for support of the initiative and referendum program.

**NEW SECTION. Sec. 15. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL**

General Fund Appropriation .....	\$	199,664
Total Appropriation .....	\$	199,664

**NEW SECTION. Sec. 16. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS**

General Fund Appropriation .....	\$	90,436
Total Appropriation .....	\$	90,436

**NEW SECTION. Sec. 17. FOR THE WASHINGTON STATE WOMEN'S COUNCIL**

General Fund Appropriation .....	\$	77,000
Total Appropriation .....	\$	77,000

**NEW SECTION. Sec. 18. FOR THE STATE TREASURER**

General Fund—Investment Reserve Account Appropriation .....	\$	743,011
Motor Vehicle Fund Appropriation .....	\$	21,803
State Treasurer's Service Fund Appropriation .....	\$	1,615,622
War Veterans' Compensation Fund Appropriation .....	\$	91,692
War Veterans' Compensation Fund Reappropriation .....	\$	1,142,000
Total Appropriation and Reappropriation .....	\$	3,614,128

The appropriations and reappropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$44,347 from the war veterans' compensation fund appropriation shall be expended for administration of the Vietnam Bonus Act if chapter ..., Laws of 1975 1st ex. sess. (SSB 2965 or similar legislation), which extends the application date for such bonus for one year, is not enacted into law.

(2) The war veterans' compensation fund reappropriation shall be expended exclusively for Vietnam bonus payments as provided in chapter 173, Laws of 1974 ex. sess. Only \$400,000 or so much thereof as may be necessary of such reappropriation shall be expended for Vietnam bonus payments if chapter ..., Laws of 1975 1st ex. sess. (SSB 2965 or similar legislation), which extends the application date for such bonus for one year, is not enacted into law.

**NEW SECTION. Sec. 19. FOR THE STATE AUDITOR**

General Fund Appropriation .....	\$	3,802,272
Motor Vehicle Fund Appropriation .....	\$	149,980
Total Appropriation .....	\$	3,952,252

The appropriations contained in this section shall be subject to the following condition or limitation: It is the intent of the legislature that the legal costs incurred by the attorney general to insure compliance



with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit.

**NEW SECTION. Sec. 20. FOR THE ATTORNEY GENERAL**

General Fund Appropriation .....	\$	1,719,588
Legal Services Revolving Fund Appropriation .....	\$	8,640,579
Total Appropriation .....	\$	10,360,167

**NEW SECTION. Sec. 21. FOR THE OFFICE OF PROGRAM PLANNING AND FISCAL MANAGEMENT**

General Fund Appropriation .....	\$	5,550,303
Total Appropriation .....	\$	5,550,303

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$4,950,303 for operations.
- (2) Not more than \$400,000 shall be expended for supplies and services furnished in previous biennia. Allocations shall be made to state agencies in accordance with instructions from OPP&FM.
- (3) Not more than \$200,000 shall be expended for payment of assessments against state owned lands.
- (4) It is the intent of the legislature that state funds in the amount of \$248,000 included in state agency budgets for state magazine purposes in the 1975-77 biennium shall be reverted to the state general fund through the office of program planning and fiscal management's allotment process.

**NEW SECTION. Sec. 22. FOR THE DEPARTMENT OF PERSONNEL**

General Fund Appropriation .....	\$	10,000
Personnel Service Revolving Fund—State .....	\$	5,636,683
Personnel Service Revolving Fund—Federal .....	\$	1,409,000
State Employees' Insurance Fund .....	\$	589,273
Total Appropriation .....	\$	7,644,956

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$10,000 for payments of Employee Suggestion Awards.
- (2) Not more than \$5,636,683 of the personnel service revolving fund appropriation shall be from state funds.
- (3) \$82,474 of the personnel service revolving fund appropriation shall be reimbursable from the department of social and health services for the biennial costs of the department of personnel state employees' alcoholism program established in accordance with RCW 70.96A.080.
- (4) \$479,236 of the personnel service revolving fund appropriation shall be expended by the department of personnel to administer, maintain, and operate a central automated personnel/payroll system which is hereby authorized. To facilitate proper distribution of costs, the department of personnel is authorized to utilize the data processing revolving fund created by RCW 43.105.080: PROVIDED, That the staff of the data processing service center engaged in payroll data control and payroll data entry, along with such records, files, data, materials, equipment, supplies, and other assets as are directly associated with their function shall be transferred, effective October 1, 1975, to the department of personnel.
- (5) All expenses of the state employees' insurance board shall be paid from the state employees' insurance fund.

**NEW SECTION. Sec. 23. FOR THE CAPITOL COMMITTEE**

General Fund—Capitol Building Construction Account Appropriation .....	\$	20,000
Total Appropriation .....	\$	20,000

**NEW SECTION. Sec. 24. FOR THE DATA PROCESSING AUTHORITY**

General Fund Appropriation .....	\$	2,803,599
General Fund—Resource Management Cost Account Appropriation .....	\$	100,000
Accident Fund Appropriation .....	\$	10,000
Medical Fund Appropriation .....	\$	10,000
Motor Vehicle Fund Appropriation .....	\$	175,000
Total Appropriation .....	\$	3,098,599

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$1,400,000 of the \$2,803,599 general fund appropriation contained in this section shall be transferred to the data processing revolving fund and expended for the purchase of equipment necessary to establish service centers in accordance with consolidation plans.
- (2) \$593,099 of the \$2,803,599 general fund appropriation contained in this section shall be expended to assist agencies in transferring to a consolidated data processing environment.
- (3) The resource management cost account appropriation, accident fund appropriation, medical fund appropriation, and motor vehicle fund appropriation contained in this section shall be expended to assist agencies in transferring to a consolidated data processing environment.
- (4) It is the intent of the legislature that additional transitional costs related to the consolidation plan in excess of those provided for by the appropriations contained in this section shall be considered upon justification therefor.

**NEW SECTION. Sec. 25. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS**

General Fund Appropriation .....	\$	88,687
Total Appropriation .....	\$	88,687

**NEW SECTION. Sec. 26. FOR THE WASHINGTON PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

General Fund Appropriation .....	\$	79,809,101
Retirement System Expense Fund Appropriation .....	\$	2,543,802
Total Appropriation .....	\$	82,352,903

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$2,134,381 of the retirement system expense fund appropriation contained in this section shall be expended for administration of the Washington public employees' retirement system.
- (2) Not more than \$409,421 of the retirement system expense fund appropriation contained in this section shall be expended for administration of the Law Enforcement Officers' and Fire Fighters' Retirement System. The board shall fix the rate charged to employer units of the LEOFF system at a level sufficient to provide income to the retirement system expense fund in the 1975-77 biennium equal to the amount appropriated by this section.
- (3) \$37,965 of the general fund appropriation contained in this section shall be expended for the administrative expenses of the judicial retirement system.
- (4) \$79,500,000 of the general fund appropriation contained in this section shall be expended for contributions of the LEOFF system.
- (5) \$271,136 of the general fund appropriation contained in this section shall be expended for contributions to the judicial retirement system.

**NEW SECTION. Sec. 27. FOR THE FINANCE COMMITTEE**

General Fund—Investment Reserve Account Appropriation .....	\$	526,039
Total Appropriation .....	\$	526,039

The appropriation contained in this section shall be subject to the following condition or limitation: The committee shall assume full responsibility for the investment management of the state trust and retirement funds and the additional staff necessary for such assumption shall be subject to the development of a contract (or contracts) for the reimbursement of such services from the state trust and retirement funds.

**NEW SECTION. Sec. 28. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation .....	\$	19,970,898
State Timber Reserve Fund Appropriation .....	\$	1,480,732
Total Appropriation .....	\$	21,451,630

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Audit coverage of all tax returns shall be increased from 15% to 17%.
- (2) Audit coverage of timber tax returns shall be accomplished by the current audit staff of the department without an increase in FTE staff years. Audit costs attributable to the timber tax are to be credited against the appropriation from the State Timber Reserve Fund.
- (3) Twelve positions (20 FTE's) shall be added to the current staff of 19 (38 FTE's) for improvement of the administration of the timber tax including stumpage and land valuation.

**NEW SECTION. Sec. 29. FOR THE TAX APPEALS BOARD**

General Fund Appropriation .....	\$	600,881
Total Appropriation .....	\$	600,881

**NEW SECTION. Sec. 30. FOR THE MUNICIPAL RESEARCH COUNCIL**

General Fund Appropriation .....	\$	735,000
Total Appropriation .....	\$	735,000

**NEW SECTION. Sec. 31. FOR THE UNIFORM LEGISLATION COMMISSION**

General Fund Appropriation .....	\$	15,826
Total Appropriation .....	\$	15,826

**NEW SECTION. Sec. 32. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation .....	\$	6,384,916
Department of General Administration Facilities and Services Revolving Fund		
Appropriation .....	\$	7,017,307
General Fund—Motor Transport Account Appropriation .....	\$	2,616,585
Total Appropriation .....	\$	16,018,808

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$64,500 shall be expended for the Migrant Campsite Advisory Council established by the director to extend the Buena pilot project to a full biennial operation.
- (2) The motor transport account appropriation shall be expended as follows:
  - (a) \$2,116,585 for operation of motor vehicle transportation services; and

(b) \$500,000 for provision of additional motor vehicle transportation services. Such funds shall not be available for allotment or expenditure until a plan or plans for such expanded services shall have been reviewed and approved by the office of program planning and fiscal management on behalf of the governor. A report of any amounts approved for allotment shall be filed with the legislative auditor and such auditor shall transmit such report to the standing ways and means committees and the legislative budget committee.

(3) \$210,000 of the general fund appropriation shall be expended exclusively for the implementation of chapter ..., Laws of 1975 1st ex. sess. (HB 102). It is the intent of the legislature that such expenditure shall result in a minimum of \$4,000,000 savings and cost avoidance in the overall state purchasing and material control system during the 1975-77 biennium. Accordingly, all dollar amounts representing cost savings or cost avoidance achieved by the state supply management policy board during this biennium shall not be allotted or expended, but shall be reserved for reversion to the fund of origin.

(4) \$210,000 of the general fund appropriation shall be expended for the maintenance and upkeep of the Northern State Hospital facility with a monthly limit on expenditures of not more than \$35,000. The office of program planning and fiscal management is hereby directed to furnish the next session of the legislature with a plan and recommendation for disposition of the facility.

**NEW SECTION. Sec. 33. FOR THE PRESIDENTIAL ELECTORS**

General Fund Appropriation .....	\$	325
Total Appropriation .....	\$	325

**NEW SECTION. Sec. 34. FOR THE INSURANCE COMMISSIONER**

General Fund Appropriation .....	\$	4,097,320
Total Appropriation .....	\$	4,097,320

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$987,873 shall be expended exclusively for support of the Fire Safety and Regulation Program.

(2) Whenever the Insurance Companies Reimbursement Fund—Local exceeds \$248,400, there shall be a corresponding increase in unexpended state funds.

**NEW SECTION. Sec. 35. FOR THE BOARD OF ACCOUNTANCY**

General Fund Appropriation .....	\$	280,217
Total Appropriation .....	\$	280,217

**NEW SECTION. Sec. 36. FOR THE ATHLETIC COMMISSION**

General Fund Appropriation .....	\$	42,007
Total Appropriation .....	\$	42,007

**NEW SECTION. Sec. 37. FOR THE CEMETERY BOARD**

General Fund—Cemetery Account Appropriation .....	\$	40,287
Total Appropriation .....	\$	40,287

**NEW SECTION. Sec. 38. FOR THE HORSE RACING COMMISSION**

Horse Racing Commission Fund .....	\$	1,301,201
Total Appropriation .....	\$	1,301,201

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) If there are more than 454 racing days during the 1975-77 biennium, the governor is hereby authorized to allocate such additional funds as may be required.

(2) It is the intent of the legislature that the School of Veterinary Medicine of Washington State University shall perform the chemical analyses required by the commission during the 1976 racing season, unless the school is prohibited from doing so by technical limitations.

**NEW SECTION. Sec. 39. FOR THE WASHINGTON STATE GAMBLING COMMISSION**

General Fund Appropriation .....	\$	1,806,520
Total Appropriation .....	\$	1,806,520

**NEW SECTION. Sec. 40. FOR THE LIQUOR CONTROL BOARD**

Liquor Board Revolving Fund Appropriation .....	\$	35,924,688
Total Appropriation .....	\$	35,924,688

**NEW SECTION. Sec. 41. FOR THE PHARMACY BOARD**

General Fund Appropriation .....	\$	535,349
Total Appropriation .....	\$	535,349

**NEW SECTION. Sec. 42. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Public Service Revolving Fund Appropriation .....	\$	7,944,367
Grade Crossing Protective Fund Appropriation .....	\$	675,000
Total Appropriation .....	\$	8,619,367

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$100,000 from the grade crossing protective fund appropriation may be expended for obligations incurred in the 1973-75 biennium for the grade crossing protective program.

(2) \$115,000 from the public service revolving fund appropriation shall be expended in the transportation program to carry out a study of motor carrier statutes, chapter 81.80 RCW, for the purpose of proposing necessary changes in such statutes to the legislature. The results of such study and any recommendations shall be transmitted to the legislature and the governor prior to the next regular session of the legislature.

**NEW SECTION. Sec. 43. FOR THE BOARD FOR VOLUNTEER FIREMEN**

Volunteer Firemen's Relief and Pension Fund Appropriation .....	\$	76,559
Total Appropriation .....	\$	76,559

The appropriation contained in this section shall be subject to the following condition or limitation: \$5,000 shall be expended to conduct an actuarial valuation of the Volunteer Firemen's Relief and Pension Fund.

**NEW SECTION. Sec. 44. FOR THE DEPARTMENT OF EMERGENCY SERVICES**

General Fund Appropriation—State .....	\$	407,197
General Fund Appropriation—Federal .....	\$	1,765,731
Total Appropriation .....	\$	2,172,928

The appropriation contained in this section shall be subject to the following condition or limitation: The energy information and conservation center program, and the 10 FTE's requested for this function, shall not be implemented unless federal funds of \$144,618 are available for such program.

**NEW SECTION. Sec. 45. FOR THE MILITARY DEPARTMENT**

General Fund Appropriation .....	\$	3,912,181
Armory Fund Appropriation .....	\$	442,034
Total Appropriation .....	\$	4,354,215

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not less than \$330,000 shall be expended for major maintenance and repair of installations.

(2) \$25,000 of the general fund appropriation may be expended for the national guard youth today program.

**NEW SECTION. Sec. 46. FOR THE TEACHERS' RETIREMENT SYSTEM**

General Fund Appropriation .....	\$	99,562,353
Teachers' Retirement Fund Appropriation .....	\$	1,438,216
Total Appropriation .....	\$	101,000,569

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$99,562,353 of this appropriation shall be expended for contributions to the teachers' retirement system.

**NEW SECTION. Sec. 47. FOR THE HIGHER EDUCATION PERSONNEL BOARD**

Higher Education Personnel Board Service Fund Appropriation .....	\$	744,746
Total Appropriation .....	\$	744,746

**NEW SECTION. Sec. 48. FOR THE STATE TREASURER—BOND RETIREMENT AND**

**INTEREST**

Highway Bond Retirement Fund Appropriation .....	\$	79,018,501
Public School Building Bond Redemption Fund 1959 Appropriation .....	\$	4,761,588
Public School Building Bond Redemption Fund 1961 Appropriation .....	\$	7,304,615
Public School Building Bond Redemption Fund 1963 Appropriation .....	\$	8,598,029
Public School Building Bond Redemption Fund 1965 Appropriation .....	\$	2,436,230
Common School Building Bond Redemption Fund 1967 Appropriation .....	\$	6,956,060
University of Washington Bond Retirement Fund Appropriation .....	\$	3,326,572
University of Washington Hospital Bond Retirement Fund Appropriation .....	\$	1,251,628
Washington State University Bond Retirement Fund Appropriation .....	\$	2,228,979
Central Washington State College Bond Retirement Fund Appropriation .....	\$	1,421,511
Eastern Washington State College Bond Retirement Fund Appropriation .....	\$	1,090,536
Western Washington State College Bond Retirement Fund Appropriation .....	\$	1,594,548
The Evergreen State College Bond Retirement Fund 1967 Appropriation .....	\$	208,116
State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$	1,919,435
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,237,306
Community College Bond Retirement Fund Appropriation .....	\$	9,227,981
Community College Capital Improvement Bond Redemption Fund 1972 Approp- riation .....	\$	2,356,600
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	980,496
Office-Laboratory Facilities Bond Redemption Fund Appropriation .....	\$	62,580
Community College Capital Construction Bond Redemption Fund 1975 Approp- riation .....	\$	390,000
Community College Building Bond Retirement Fund 1975 Appropriation .....	\$	1,140,000
Institutional Building Bond Redemption Fund 1957 Appropriation .....	\$	3,535,720
State Building Construction Bond Redemption Fund Appropriation .....	\$	8,487,823
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation .....	\$	8,478,420

State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation .....	\$	9,758,391
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation .....	\$	621,010
General Administration Building Bond Redemption Fund Appropriation .....	\$	714,253
State Building and Parking Bond Redemption Fund 1969 Appropriation .....	\$	2,450,580
State Building Bond Redemption Fund 1967 Appropriation .....	\$	650,510
State Building Bond Redemption Fund 1973A Appropriation .....	\$	392,071
State Building Bond Redemption Fund 1973 Appropriation .....	\$	3,405,448
Social and Health Services Facilities Bond Redemption Fund Appropriation .....	\$	726,560
Outdoor Recreational Bond Redemption Fund Appropriation .....	\$	1,846,843
Recreation Improvements Bond Redemption Fund Appropriation .....	\$	1,464,220
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation .....	\$	3,866,796
Outdoor Recreational Bond Redemption Fund 1967 Appropriation .....	\$	6,324,803
State Building Authority Bond Redemption Fund Appropriation .....	\$	9,983,305
Waste Disposal Facilities Bond Redemption Fund Appropriation .....	\$	3,209,632
Water Supply Facilities Bond Redemption Fund Appropriation .....	\$	1,688,756

**NEW SECTION. Sec. 49. FOR THE STATE TREASURER—STATE REVENUES FOR**

**DISTRIBUTION**

General Fund Appropriation for fire insurance premiums tax distribution .....	\$	1,620,000
General Fund Appropriation for all-terrain vehicles and snowmobile registra- tion by counties .....	\$	24,344
General Fund Appropriation for public utility district excise tax distribution .....	\$	11,232,000
General Fund Appropriation for prosecuting attorneys salaries .....	\$	845,625
General Fund Appropriation for Motor Vehicle Excise Tax Distribution .....	\$	24,156,893
General Fund Appropriation for Camper and Travel Trailer Excise Tax Distri- bution .....	\$	1,145,178
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	\$	192,500
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution .....	\$	14,000,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	\$	130,000,000
Liquor Board Revolving Fund Appropriation for liquor profits distribution .....	\$	39,425,000
State Timber Tax Fund 'A' Appropriation for distribution to "Timber" Coun- ties .....	\$	16,191,000
State Timber Reserve Fund Appropriation for distribution to "Timber" Coun- ties .....	\$	20,664,648
Lease Hold in Lieu Tax Fund Appropriation for distribution .....	\$	1,770,000

**NEW SECTION. Sec. 50.** There is hereby appropriated from the public transportation account within the general fund to the state treasurer for distribution for local mass transit assistance during the 1975-77 biennium the sum of \$36,000,000 or so much thereof as shall be necessary, if chapter ... (SSB 2937), Laws of 1975 1st ex. sess., is enacted into law. If chapter ... (SSB 2937), Laws of 1975 1st ex. sess., is not enacted into law, there is hereby appropriated from the general fund to the state treasurer for distribution for local mass transit assistance during the 1975-77 biennium the sum of \$16,600,000 which shall be allocated to those municipalities which shall have levied the special excise tax pursuant to RCW 35.58.273 subject to the following conditions and limitations:

(1) For each of the fiscal years 1975-76 and 1976-77 the total amount of such special excise taxes levied, collected or retained by all municipalities shall be not more than eight million five hundred thousand dollars in either year of the 1975-77 biennium.

(2) During the two fiscal years from July 1, 1975, to June 30, 1977, no municipality as defined in RCW 35.58.272 which has been authorized to levy a special excise tax pursuant to RCW 35.58.273 may levy, collect, or retain an amount in each of such fiscal years greater than the maximum amount established pursuant to the following formula:

- (a) Prior to June 15, 1975, and May 1, 1976, each municipality desiring to levy an excise tax during the immediately following fiscal year shall so advise the director of the department of motor vehicles. Necessary data shall be supplied by the office of program planning and fiscal management to the director of the department of motor vehicles, who shall determine the maximum amount of the excise tax levy which each qualifying municipality may levy, collect or retain pursuant to RCW 35.58.272;
- (b) From the maximum amounts of the special excise tax determined pursuant to subparagraph (a) of this subsection above, the director shall subtract the amount of federal funds received pursuant to the Urban Mass Transportation Act of 1974, section 5, to the extent such funds are used for municipal transit operating subsidies;
- (c) The director shall then determine for each municipality a proportionate share of the total amount specified in subsection (1) of this section so that the share of each municipality is in the same proportion as the amount for that municipality determined pursuant to subparagraphs (a) and (b) of this subsection above bears to the total amount for all municipalities pursuant to subparagraphs (a) and (b) of this subsection: PROVIDED, That

(i) If such proportional share of any municipality which shall have pledged the revenue from any such special excise tax to secure the payment of all or part of the principal of or interest on any general obligation bonds or revenue bonds issued under RCW 35.58.279 or any other provision of law prior to June 1, 1975, will not be sufficient to meet such bond obligations, such municipalities' proportionate share shall be increased as may be necessary to meet such bond obligation; and

(ii) In no event shall the dollar amount of the proportional share of any municipality, which shall have levied the special excise tax pursuant to RCW 35.58.273 in two consecutive fiscal years, be less in the second fiscal year than in the first;

(d) Prior to June 10 of each of the years 1975 and 1976, the director shall certify the amount of such proportional share to each such municipality.

(3) All proceeds of excise taxes levied and collected in excess of the formula set forth in this section shall revert to the general fund to replace funds appropriated by this section, except as otherwise provided herein.

The term "retain" for purposes of this section means retain and/or use for the purposes for which excise taxes may be levied under RCW 35.58.273.

**NEW SECTION. Sec. 51. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION**

Forest Reserve Fund Appropriation for forest reserve fund distribution . . . . .	\$	30,800,000
General Fund Appropriation for federal flood control funds distribution . . . . .	\$	36,564
General Fund Appropriation for Federal grazing fees distribution . . . . .	\$	29,580

**NEW SECTION. Sec. 52. DEPARTMENT OF SOCIAL AND HEALTH SERVICES.**

State Funding Sources . . . . .	\$	788,523,067
Federal Funding Sources . . . . .	\$	624,364,100
Local Funding Sources . . . . .	\$	2,441,126
Total . . . . .	\$	1,415,328,293

The appropriations contained in sections 53 through 63 of this act shall be subject to the following conditions and limitations:

(1) The legislature recognizes that mass institutionalization and hospitalization may not be a satisfactory solution to the treatment of physical or mental disorders or the problem of criminal rehabilitation. The legislature further recognizes that proposals to modify such institutionalization and hospitalization have not been thoroughly reviewed for substance or fiscal impact in such a manner as to permit the development of sound legislative policy in these areas. Therefore, the legislature has established a budgetary position that will assure institutional provisions for the safety and well-being of all our citizens, but which restrains the modification of existing methods until questions of policy and fiscal impact have been determined by the legislature.

(2) Not later than October 1, 1975, the department shall transmit a list to the standing ways and means committees of all federal moneys received, including unanticipated receipts so noted, as of July 1, 1975, by departmental program, category, and organizational unit which list shall include the following information:

- (a) The granting federal agency;
- (b) A brief description and federal reference number, if applicable;
- (c) The specific amount of money received and the purpose for which it is intended;
- (d) The matching requirements; and
- (e) The limiting factors, if any.

Monthly revisions to the list required by this subsection, including unanticipated receipts, shall be provided in the same manner as the original list for the remainder of the fiscal biennium.

(3) The department shall not transfer more than ten million dollars between the programs appropriated for in sections 53 through 63 of this act without specific approval of the office of program planning and fiscal management and the standing ways and means committees. The department shall notify the office of program planning and fiscal management and the standing ways and means committees whenever any transfers are made which are within the limits established by this subsection.

(4) The department shall provide quarterly reports to the standing ways and means committees relating to the realization of all projected program savings upon which the 1975-77 departmental budget request is predicated.

(5) The department of social and health services shall establish regulations for reasonable nursing home accounting and reimbursement systems which recognize relevant cost related factors for department of social and health services patients. This shall include, but not be limited to, the scope or level of services or care, requirements of staff, physical plant, a reasonable rate of return on investment, and incentives for improved patient care within funds available to the department for nursing home care. The regulations shall provide that no payment will be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system. Not later than January 1, 1976, the department shall provide a report to the standing ways and means and social and health services committees which reviews the nursing home cost

reimbursement system and other vendor payments and which includes required state and federal standards, standards maintained, all completed audits, and recommendations for legislative consideration.

(6) The department shall present fiscal and organizational zero-base data to the standing ways and means committees and the social and health services committees, by July 1, 1976, which will assist in reestablishing the budgetary base for the public health, vocational rehabilitation, and administrative and support services programs.

(7) The department shall develop a proposal for a group homes cost reimbursement system that provides incentives for improving client care. The proposal shall provide for maximum limits for described levels and kinds of care that ensure that expenditures shall be within amounts appropriated for such care. The cost reimbursement system shall also include consideration of various salary schedules necessary for the delivery of such components of care and shall also include consideration of wage and salary levels of comparable positions in the public and private sectors. The department shall submit the proposed cost reimbursement system to the standing ways and means and social and health services committees for approval prior to the implementation of the system.

(8) If the claim made by the state to the United States department of health, education, and welfare on October 24, 1972, for reimbursement in the amount of \$32,876,903 is sustained in whole or in part such funds and any other similar funds received by the state shall be deposited by the state treasurer in Suspense Fund 705 and no allocation or disbursement from such fund shall be made except as specifically authorized by legislative enactment.

All disputes arising between the state and the United States department of health, education, and welfare involving the state's claim or claims to federal reimbursement of state expenditures as provided by the applicable provisions of the federal social security act which would have the effect of reducing or increasing any appropriation or any part thereof as set forth in this act shall be negotiated and settled only with the consent of a majority of the members of the respective ways and means committees of the legislature.

The sum of \$5,508,264 currently held by the state treasurer in Suspense Fund 705 pending the completion of federal review of the legitimacy of the aforementioned claim for such moneys shall continue to be held and no allocation or disbursement from such funds shall be made without specific authorization by legislative enactment, except to repay the federal government if necessary.

If the department of social and health services claims additional matching for the period of October 1, 1972, through June 30, 1973, or any portion thereof, or for any other period, such moneys shall be deposited by the state treasurer in Suspense Fund 705 and no allocation or disbursement from such fund shall be made except as specifically authorized by legislative enactment.

(9) The department shall deploy personnel in such a manner as to insure, insofar as is possible, that ineligible persons shall be removed from current caseloads, errors resulting in overpayments or underpayments to recipients shall be corrected, efforts shall be made to insure that only eligible individuals are added to the public assistance caseloads, and that caseloads are kept within the estimates for which funds are provided by this act.

Compliance with this act and the attempt to contain caseloads within acceptable limits shall be accomplished but, notwithstanding the provisions of RCW 74.08.040, the department of social and health services shall not impose ratable reductions, or any other form of reduction in public assistance grants which are in addition to, or in any way lower than the maximums presently imposed.

(10) It is the intent of the legislature that the department shall not initiate any new or additional programs or services in any of the agency's programs beyond those authorized in sections 52 through 62 of this act without prior approval of the ways and means committees of the legislature.

**NEW SECTION. Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS AND REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$	58,965,602
General Fund Appropriation—Federal .....	\$	2,277,018
Total Appropriation .....	\$	61,242,620

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more than 3,299.0 FTE staff years within the adult corrections program during the 1975-77 biennium.

(2) Probation and parole case service may be expanded by an expenditure level not to exceed \$1,948,568 (including \$1,648,568 from federal funds) and a staffing level not to exceed 146.0 FTE's.

(3) It is the intent of the legislature that a specialized caseload diversion project may be initiated in community rehabilitative services at an expenditure level not to exceed \$376,683 (including \$336,683 from federal funds) and a staffing level not to exceed 30.0 FTE's.

(4) The programs at the Washington state reformatory's Trails End Farm may be expanded to accommodate an additional 50 residents by expansion of the expenditure level in an amount not to exceed \$82,876 and by expansion of the staffing level not to exceed 7.0 FTE's.

(5) The custody and night security staffing levels at rehabilitative institutions may be expanded by an amount not to exceed \$368,559 and an additional staffing level not to exceed 32.0 FTE's.

(6) In order to achieve a balanced counselor/inmate ratio at state correctional institutions, \$258,888 and an additional staffing level not to exceed 24.0 FTE's shall be expended for institutional classification counselors.

(7) \$1,213,766 and additional staffing not to exceed 116.0 FTE's in excess of the current level, shall be expended for staff coverage as required by the department's institutional post assignment survey.

(8) It is the intent of the legislature that \$1,670,130 (including \$291,767 from federal funds) and a staffing level not to exceed 52.0 FTE's shall be expended within the program for the special projects category.

(a) Such expenditures shall include \$770,000 and 24.0 FTE's for the establishment and operation of a minimum-to-moderate correctional center at Firlands. Not later than January 15, 1976, the department shall submit a detailed report to the standing ways and means committees, social and health services committees, and judiciary committees relating to the operational policies and procedures at the Firlands facility. Such report shall specifically include substantiated information relating to the department's ability to obtain community involvement and acceptance of the Firland's facility.

(b) \$85,000 of the general fund appropriation—state shall be expended, pursuant to chapter 81, Laws of 1974 ex. sess., to maintain the present city-county jail commission and to complete the study called for in the act.

(c) \$63,750 in the special project category shall be transferred to the department of employment security for completion of a corporate task force on corrections planning study by December 1, 1975, to determine the possibility of a private nonprofit organization participating in administering a pilot adult correctional rehabilitation program. This expenditure authorization is contingent upon the provision of at least \$21,250 in additional funds from six or more major private corporations to assist in completion of this study, the results of which will determine further state participation in the private pilot rehabilitation correctional program.

(d) \$250,000 or as much thereof as shall be required, may be expended for the development of a phased comprehensive plan related to a community based correctional system. The department, prior to January 1, 1976, shall submit a report on such plan to the standing ways and means committees, social and health services committees, and judiciary committees. Such report shall include, but not be limited to, plans encompassing the following:

- (i) An improved classification system;
- (ii) Deactivation of existing facilities;
- (iii) Uses for existing facilities;
- (iv) Cost estimates for all phases of implementation;
- (v) Custody improvement;
- (vi) Counseling improvement procedures;
- (vii) Vocational and educational methods improvement;
- (viii) An improved work release program strategy;
- (ix) An improved probation procedure;
- (x) Facilities, floor plan concept; and
- (xi) Site selection procedures.

A segment on "Community Participation: Plans, Policy, and Procedures" is to be included in the report. The department shall describe in a detailed manner the procedures and steps to be used to insure that community participation will be included as a special process in the development of a community based corrections program. The methodology of participation shall assure the legislature that community involvement and acceptance will be an integral part of proposed community based correction centers.

**NEW SECTION. Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE JUVENILE REHABILITATION SERVICES PROGRAM**

General Fund Appropriation—State .....	\$ 35,228,509
General Fund Appropriation—Federal .....	\$ 548,079
Total Appropriation .....	\$ 35,776,588

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more than 1,903.8 FTE staff years within the juvenile rehabilitation services program during the 1975-77 biennium.

(2) \$1,263,949 and a staffing level not to exceed 54.0 FTE's shall be expended for continued operation of the current delinquency prevention and control program. The department shall provide, in a report to the standing ways and means committees no later than December 1, 1976, a detailed description of the program goals and objectives, identification of service needs, eligibility criteria for services, work load indicators, and measurements of the program's effectiveness together with an estimated six-year operational plan.

(3) \$251,178 and a staffing level not to exceed 15.0 FTE's shall be expended for the Richland group home during the 1975-77 biennium.

(4) \$36,710 and a staffing level not to exceed 4.0 FTE's shall be expended for additional night security at Cedar Creek and Mission Creek youth camps.

(5) It is the intent of the legislature that \$4,413,449 (including \$7,200 from federal funds) and a total staffing level of 285.7 FTE's shall be expended for the continued operation of the Green Hill juvenile facility.

(6) The department is authorized to provide child welfare services to a person who at the time of attaining the age of eighteen years is receiving such services pursuant to chapter 74.13 RCW and who is



attending school through the completion of the recipient's high school program but in no event shall such services be extended beyond the age of twenty-one years.

(7) The department shall develop and report to the standing ways and means and social and health services committees by October 1, 1976, a description of operational procedures and cost structures relating to juvenile group homes.

**NEW SECTION. Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE MENTAL HEALTH PROGRAM**

General Fund Appropriation—State .....	\$	64,983,071
General Fund Appropriation—Federal .....	\$	9,464,090
General Fund Appropriation—Local .....	\$	260,000
Total Appropriation .....	\$	74,707,161

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more than 2,527.4 FTE staff years within the mental health program during the 1975-77 biennium.

(2) \$7,700,000 shall be expended for additional community mental health grants. Not later than January 1, 1976, the department shall submit a report to the standing ways and means committees, social and health services committees, and the office of program planning and fiscal management on each community mental health facility which receives state funds and each such report shall contain the following information:

- (a) The managing authority;
- (b) Treatment services offered;
- (c) Criteria for treatment services;
- (d) Criteria for client eligibility;
- (e) Total number of individual clients requesting services;
- (f) Total number of individuals receiving services by type of service rendered;
- (g) Priority of treatment and clients;
- (h) Fee structure;
- (i) Itemized revenue by source;
- (j) Itemized positions compensated for and the respective amounts received by: (i) salary or wages; (ii) personal service contracts; or (iii) fees for services rendered; and
- (k) A summary of expenditures to date.

(3) Not later than October, 1976, the department shall furnish proposed standards for community mental health facilities to the standing ways and means committees, social and health services committees, and the office of program planning and fiscal management.

(4) \$1,103,690 shall be expended under the special projects category, of which \$1,053,690 shall be for the establishment of long-term chronic alcoholism treatment centers. Not later than December 31, 1976, the department shall furnish the standing ways and means committees, the social and health services committees, and the office of program planning and fiscal management the following data on each facility receiving a portion of such funds through grants:

- (a) Local agency responsible;
- (b) Total individual clients requesting or referred for services and the total number of those receiving treatment;
- (c) Criteria for client eligibility;
- (d) Total number of individual clients who repeat treatment;
- (e) Treatment services offered and the criteria for treatment;
- (f) The priorities of treatment and clients;
- (g) Fee structure;
- (h) Itemized revenue by source;
- (i) Itemized positions compensated for and the respective amounts received by: (i) Salary or wages; (ii) personal service contracts; or (iii) fees for services rendered; and
- (j) A summary of expenditures through October, 1976.

**NEW SECTION. Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE DEVELOPMENTAL DISABILITIES PROGRAM**

General Fund Appropriation—State .....	\$	87,883,771
General Fund Appropriation—Federal .....	\$	11,997,451
General Fund Appropriation—Local .....	\$	40,896
Total Appropriation .....	\$	99,922,118

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more than 5,966.7 FTE staff years within the developmental disabilities program during the 1975-77 biennium.

(2) \$2,415,693 shall be utilized for increased vendor rates for training centers and group homes.

(3) Not later than October 1, 1976, the department shall furnish the standing ways and means committees, the social and health services committees, and the office of program planning and fiscal management with the following information for each developmental disability group home and center receiving state funds:

- (a) Management responsibility;
  - (b) Care and rehabilitative programs available and their criteria;
  - (c) Criteria for eligibility;
  - (d) Persons served;
  - (e) Detailed source of revenue;
  - (f) Itemized positions compensated for and the respective amounts received by: (i) Salary and wages; (ii) personal service contracts; and (iii) fees for services rendered; and
  - (g) Summary of expenditures through August, 1976.
- (4) \$250,000 or as much thereof as shall be required, may be expended for the development of a phased comprehensive plan related to the implementation of state group homes and developmental disability training centers. This plan shall include, but not be limited to, the following:
- (a) Location;
  - (b) Preliminary floor and layout plans;
  - (c) Projected staffing and operational cost requirements;
  - (d) Cost estimates and projections;
  - (e) Criteria for resident assignment;
  - (f) Relationship to institutions; and
  - (g) Initial and future management responsibility.
- (5) \$95,000 (including \$45,000 from federal funds) shall be expended to fund the construction of a residential hall at the Antonian Home for Special Children.
- (6) Not later than October 1, 1976, the department shall furnish proposed standards for developmental disability centers and group homes to the standing ways and means committees, the social and health services committees, and the office of program planning and fiscal management.
- (7) Holly Ridge Developmental Center shall continue to be provided with facilities at Olympic Center without rental or lease cost for space utilized by such program.
- (8) A program for home aide services shall be initiated by the expenditure of \$760,000.
- (9) \$2,139,489 and increased staff authorization not to exceed 175.0 FTE's are included in the institutional rehabilitation services category and shall be utilized to expand institutional staff levels.

**NEW SECTION. Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE VETERANS' SERVICE PROGRAM**

General Fund Appropriation—State .....	\$ 9,203,589
General Fund Appropriation—Local .....	\$ 675,790
Total Appropriation .....	\$ 9,879,379

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) The department shall expend not more than 663.0 FTE staff years within the veterans' service program during the 1975-77 biennium.
  - (2) It is the intent of the legislature that the department shall continue its present program of service provision through both state and contract offices at the current level of operation.
  - (3) \$645,064 and additional staff not to exceed 43.4 FTE's shall be expended to upgrade the veteran homes nursing components to skilled nursing home status.
  - (4) \$62,303 and additional staff not to exceed 4.0 FTE's shall be expended to provide additional guardianship services.
  - (5) \$98,511 shall be expended to provide support services formerly paid for by the residents' welfare fund.
  - (6) It is the intent of the legislature that the department of social and health services shall not phase out domiciliary care in the Veterans' Home at Retsil and the Soldiers' Home and Colony at Orting. Nothing in this condition shall preclude the department from moving residents between nursing and domiciliary care in order to better utilize facilities.
  - (7) The department of social and health services shall promulgate rules and regulations pursuant to chapter 34.04 RCW not later than October 1, 1975, which shall define eligibility standards for membership in the Washington Veterans' and Soldiers' homes. Such rules and regulations shall include a definition of "allowable income". The allowable income of members accepted for membership shall not be decreased below \$140.00 per month during periods that such members are being provided care.
- All income of members of the Veterans' Home in excess of allowable income shall be deposited in the Veterans' Home Revolving Fund which is hereby created. Disbursements from the revolving fund shall be for the welfare and benefit of all members of the Veterans' Home and such disbursements shall be on authorization of the superintendent of the home or his duly authorized representative after approval has been received from a duly constituted body representative of the members. In order to maintain an effective expenditure and revenue control the Veterans' Home Revolving Fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures from such fund.
- All income of members of the Soldiers' Home in excess of allowable income shall be deposited in the Soldiers' Home Revolving Fund which is hereby created. Disbursements from the revolving fund shall be for the welfare and benefit of all members of the Soldiers' Home and such disbursements shall be on authorization of the superintendent of the home or his duly authorized representative after approval has been received from a duly constituted body representative of the members. In order to maintain an effective expenditure and revenue control the Soldiers' Home Revolving Fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures from such fund.

NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE INCOME MAINTENANCE PROGRAM

General Fund Appropriation—State .....	\$ 222,874,051
General Fund Appropriation—Federal .....	\$ 210,119,989
Total Appropriation .....	\$ 432,994,040

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more the 3,162.0 FTE staff years within the income maintenance program during the 1975-77 biennium.

(2) It is the intent of the legislature that \$48,709,432 (including \$15,661,413 from federal funds) shall be utilized for the purpose of upgrading maintenance grant standards by ten percent for the 1975-77 biennium.

(3) The department shall develop revised program standards for continuing general assistance after first developing adequate caseload profile information including, but not limited to:

- (a) Medical determination of physical or mental disabilities;
- (b) Stringent eligibility criteria associated with emotional, alcoholism, or drug connected cases;
- (c) Adequate evaluation of treatment programs; and
- (d) An approval process for such treatment programs.

In addition, the department shall submit such proposed revised standards, with control systems and cost estimates to the standing ways and means committees and the office of program planning and fiscal management, together with substantiating data relating actual versus estimated caseloads, no later than December 1, 1975.

(4) Monthly reporting of earned income may be implemented but recipient grant payments shall remain on a monthly basis.

(5) In order to provide a partial solution to the pending issues inherent in the continuing general assistance grant caseloads, it is the intent of the legislature that the department make all possible efforts to transfer up to 600 general assistance grant recipients to the CETA programs.

(6) \$1,620,366 shall be expended to continue the provision of general assistance to needy unemployment compensation recipients.

(7) \$58,502 of which \$20,148 shall be from federal funds and a staffing level not to exceed 5.7 FTE's shall be expended for staffing at the Puyallup office.

(8) It is the intent of the legislature that the department shall exercise all administrative alternatives and every effort shall be made in state-supported nursing home care programs to preclude the move of a patient from a skilled nursing facility to an intermediate care facility unless an intermediate care facility is available in the community where such patient presently resides.

NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR COMMUNITY SOCIAL SERVICES PROGRAM

General Fund Appropriation—State .....	\$ 43,386,867
General Fund Appropriation—Federal .....	\$ 71,004,325
General Fund Appropriation—Local .....	\$ 500,000
Total Appropriation .....	\$ 114,891,192

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more than 3,134.9 FTE staff years within the community social services program during the 1975-77 biennium.

(2) Not later than October 1, 1976, the department shall report to the standing ways and means committees and the social and health services committees the following information relating to the retained community social services:

- (a) The type of service and each local office rendering such service;
- (b) Determination of the clientele for each type of service;
- (c) The total number of persons referred for services for each type of service; and
- (d) The total number of persons receiving services for each type of service offered.

(3) The department shall retain its volunteer coordinators at 40 FTE's during the 1975-77 biennium.

(4) \$1,874,641 (including \$1,302,501 from federal funds) and a staffing level of 204.0 FTE's shall be utilized to expand Homemaker Services.

(5) Priority utilization of homemakers shall be made when such service is related to employment of a grant recipient or to retention of an individual in a home environment.

(6) \$1,465,201 (including \$166,536 from federal funds) shall be utilized for expanded child care services.

(7) An additional \$859,409 (including \$597,117 from federal funds) and a staffing level not to exceed 48.0 FTE's shall be expended for increased protective child services.

(8) \$6,694,762 (including \$3,156,396 from federal funds) shall be expended for increased vendor rates as recommended by the governor.

(9) \$1,316,939 (including \$1,185,245 from federal funds) shall be expended for increased family planning services.

(10) \$390,684 of federal funds and a staffing level not to exceed 6.0 FTE's shall be expended to implement the senior companion program as a special project. Not later than October 1, 1976, the department

shall report the progress of such project to the standing ways and means committees and the social and health services committees.

**NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE MEDICAL ASSISTANCE PROGRAM**

General Fund Appropriation—State .....	\$ 214,049,977
General Fund Appropriation—Federal .....	\$ 218,900,215
Total Appropriation .....	\$ 432,950,192

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more than 1,107.9 FTE staff years within the medical assistance program during the 1975–77 biennium.

(2) \$6,593,274 (including \$2,799,355 from federal funds) may be expended for caseload increases in medical assistance grants.

(3) \$93,006 (including \$45,461 from federal funds) shall be expended for standards and vendor rate increases within the prevention of blindness category.

(4) \$33,416,041 (including \$16,661,392 from federal funds) shall be expended for vendor rate adjustments for inflation.

(5) \$2,133,560 (including \$1,133,560 from federal funds) may be expended for the early periodic screening, detection, and treatment program for children.

(6) Adult dental care shall be restricted to acute and emergent treatment only.

(7) The department shall continue the hospital length of stay at the seventy-fifth percentile of the national patient average stay (PAS).

(8) The department of social and health services shall develop a plan for expanding the enrollment of medical assistance recipients in health maintenance organizations (HMO's). Health maintenance organizations shall be defined as any organization which provides comprehensive health care services directly to enrolled participants of such organization on a group practice per capita prepayment basis. The plan to be developed shall include a pilot project to provide for an expanded enrollment of medical assistance recipients in health maintenance organizations in four counties, consisting of Snohomish, King, Pierce, and Thurston. The goal will be to increase enrollment by at least 10,000 additional medical assistance recipients during the 1975–77 biennium.

(9) The department is authorized to enter into a contract for mechanized medicaid payment process (Title XIX) by the expenditure of up to \$5,853,000 (including \$4,389,750 from federal funds).

**NEW SECTION. Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State .....	\$ 14,325,172
General Fund Appropriation—Federal .....	\$ 36,307,950
Total Appropriation .....	\$ 50,633,122

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more than 818.8 FTE staff years within the public health program during the 1975–77 biennium.

(2) \$187,364 (including \$140,525 from federal funds) and an additional staffing level not to exceed 13.0 FTE's shall be expended in the expansion of licensing and certification.

(3) \$15,357 of federal funds and 1.0 FTE shall be expended to conduct a special project on wood-working industry mortality.

(4) \$141,640 from federal funds and a staffing level not to exceed 6.0 FTE's shall be expended for workload increases in maternal child health services.

(5) \$300,000 shall be expended for additional grants to counties for immunization supplies.

(6) \$1,396,000 (including \$976,955 from federal funds) shall be expended for increased birth defect detection and counseling grants.

(7) \$145,290 and a staffing level not to exceed 9.0 FTE's shall be expended for workload increases in vital statistics and laboratory services.

**NEW SECTION. Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$ 5,209,012
General Fund Appropriation—Federal .....	\$ 36,687,233
General Fund Appropriation—Local .....	\$ 964,440
Total Appropriation .....	\$ 42,860,685

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more than 757.5 FTE staff years within the vocational rehabilitation program during the 1975–77 biennium.

(2) \$1,501,386 (including \$1,410,316 from federal funds) shall be expended for increased client training services.

(3) \$844,440 shall remain in reserve allotment to be utilized for required match for federal funds.

(4) \$360,000 (including \$270,000 from federal funds) shall be expended for services to the blind and physically handicapped by reimbursing the state library for providing such services.

(5) The department shall provide quarterly reports to the standing ways and means committees relating to the receipt of local funds. Such report shall contain an enumeration of the difficulties, if any, in the receipt of such funds.

**NEW SECTION. Sec. 63. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State .....	\$	32,413,446
General Fund Appropriation—Federal .....	\$	27,057,750
Total Appropriation .....	\$	59,471,196

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department shall expend not more than 2,981.9 FTE staff years within the administration and supporting services program during the 1975-77 biennium.

(2) \$10,479,205 (including \$4,013,792 from federal funds) and a staffing level not to exceed 570.0 FTE's shall be expended within the information system category.

(3) It is the intent of the legislature that \$25,000 of the general fund appropriation—state shall be available for grants in support of the Special Olympics for Mentally Retarded Children program. No portion of these funds shall be used for fund raising or other consultant services.

(4) \$672,151 (including \$268,861 from federal funds) and a staffing level not to exceed 52.6 FTE's shall be expended to increase workload in reimbursement and collection category.

(5) \$678,362 (including \$261,169 from federal funds) and a staffing level not to exceed 36.0 FTE's shall be expended for increased nursing home auditors.

(6) \$705,478 (including \$271,609 from federal funds) and a staffing level not to exceed 28.0 FTE's shall be expended for increased performance and fiscal audit teams.

(7) \$272,466 (including \$108,987 from federal funds) and a staffing level not to exceed 18.0 FTE's shall be expended for increased fraud investigators.

(8) \$6,611,187 entirely from federal funds, and a staffing level not to exceed 65.0 FTE's shall be expended for special projects.

(9) \$315,577 (including \$126,231 from federal funds) and 19.0 FTE's shall be expended for increased quality control in SSI and Title XIX areas for standard setting and program analysis.

**NEW SECTION. Sec. 64. DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
REAPPROPRIATIONS**

General Fund Reappropriation—State .....	\$	7,839,000
General Fund Reappropriation—Federal .....	\$	350,952
Total Reappropriation .....	\$	8,189,952

The reappropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$7,327,000 shall be for medical services and supplies not in excess of the unexpended balance of the 1973-75 appropriations or allotments for this purpose. Within this amount, the following programs shall be included:

- (a) Mental health, \$175,000;
- (b) Income Maintenance, \$2,000;
- (c) Community social services, \$1,125,000;
- (d) Medical assistance, \$6,000,000; and
- (e) Vocational rehabilitation, \$25,000.

(2) \$512,000 shall be for grants to communities for mental retardation construction grants from the developmental disabilities program not in excess of the unexpended balance of the 1973-75 appropriations or allotments for this purpose.

(3) \$350,952 from federal funds shall be for innovation and expansion projects in the vocational rehabilitation program not in excess of the unexpended balance of the 1973-75 appropriation or allotments for this purpose.

**NEW SECTION. Sec. 65. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State .....	\$	5,412,059
General Fund Appropriation—Federal .....	\$	122,715,237
Total Appropriation .....	\$	128,127,296

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Whenever the planning and community affairs agency receives anticipated federal grants which exceed the amount intended for a specific activity by more than fifty thousand dollars or increases the FTE staff years related thereto, then the agency shall not expend such amounts without review by and prior approval of the legislative budget committee.

(2) Whenever the planning and community affairs agency receives federal grants which have not been included in the appropriations contained in this section, then the agency shall not expend such amounts without review by and prior approval of the legislative budget committee.

(3) It is the intent of the legislature that state funds which are appropriated for the specific purpose of matching a federal grant and which are not used for that purpose shall be reverted at the end of the biennium.

(4) Not later than August 15, 1976, the agency shall transmit a list to the standing ways and means committees of all federal moneys received, including unanticipated receipts so noted, as of July 1, 1975, by agency program, category, and organizational unit which list shall include the following information:

- (a) The granting federal agency;
- (b) A brief description and federal reference number, if applicable;
- (c) The specific amount of money received and the purpose for which it is intended;
- (d) The matching requirements; and
- (e) The limiting factors, if any.

Monthly revisions to the list required by this subsection, including unanticipated receipts, shall be provided in the same manner as the original list for the remainder of the fiscal biennium.

(5) Not more than \$1,507,912 (including \$523,245 from federal funds) shall be expended for the administration and support services program.

(6) Not more than \$6,049,511 (including \$5,518,462 from federal funds) shall be expended for the community planning program.

(7) Not more than \$120,569,873 (including \$116,673,530 from federal funds) shall be expended for the human resources planning program.

(8) It is the intent of the legislature that the office of voluntary action shall present a detailed report of its planned activities and its estimated accomplishments during the 1975-77 biennium to the standing ways and means committees on or before January 1, 1976.

(9) It is the intent of the legislature that funds from the appropriations contained in this section shall not be expended to provide for toll-free telephone services.

**NEW SECTION. Sec. 66. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State .....	\$	1,508,984
General Fund Appropriation—Federal .....	\$	82,000
General Fund Appropriation—Local .....	\$	96,000
Total Appropriation .....	\$	1,686,984

**NEW SECTION. Sec. 67. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

Accident Fund Appropriation .....	\$	988,318
Medical Aid Fund Appropriation .....	\$	988,317
Total Appropriation .....	\$	1,976,635

**NEW SECTION. Sec. 68. FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund Appropriation—State .....	\$	544,196
General Fund Appropriation—Federal .....	\$	2,281,666
Total Appropriation .....	\$	2,825,862

**NEW SECTION. Sec. 69. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State .....	\$	5,396,030
General Fund Appropriation—Federal .....	\$	60,000
Accident Fund Appropriation .....	\$	18,457,844
Medical Aid Fund Appropriation .....	\$	16,577,497
Plumbing Certificate Fund Appropriation .....	\$	74,100
Electrical License Account Appropriation .....	\$	3,035,849
Total Appropriation .....	\$	43,601,320

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) It is the intent of the legislature that not more than \$1,200,000 shall be expended for the Automated Records Management System (ARMS) under the Industrial Insurance Program, and that the department shall abolish sixty-five positions in the Industrial Insurance Program not later than January 30, 1977, as the result of such implementation of ARMS.

(2) \$786,669 of the general fund appropriation shall be expended, pursuant to chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.160, for the payment of claims to provide relief for victims of criminal acts committed between January 1, 1972, and July 1, 1974. Of such amount, \$118,408 shall be for administrative and appeals costs based upon the enactment of chapter ..., Laws of 1975 1st ex. sess. (SB 2070).

(3) Upon the enactment of chapter ..., Laws of 1975 1st ex. sess. (ESSB 2408), \$315,743 of the general fund appropriation—state moneys shall be transferred from the department of labor and industries to the public employment relations commission created by such chapter.

**NEW SECTION. Sec. 70. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

General Fund—Puget Sound Pilotage Account Appropriation .....	\$	15,490
Total Appropriation .....	\$	15,490

**NEW SECTION. Sec. 71. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation .....	\$	1,213,444
Total Appropriation .....	\$	1,213,444

**NEW SECTION. Sec. 72. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation .....	\$	517,554
Total Appropriation .....	\$	517,554

## NEW SECTION, Sec. 73. FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State .....	\$ 2,037,772
General Fund Appropriation—Federal .....	\$ 43,786,684
Unemployment Compensation Administration Fund Appropriation—State .....	\$ 61,479,210
Unemployment Compensation Administration Fund Appropriation—Federal .....	\$ 500,000
Administrative Contingency Fund Appropriation .....	\$ 200,000
Total Appropriation .....	\$ 108,003,666

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$40,000 of general fund—federal appropriation shall be utilized for services of an additional assistant attorney general.

(2) \$1,000,000 of the state general fund appropriation shall be expended for continuation during the period from July 1, 1975, to June 30, 1976, of the Program for Local Services in which full time, stipended volunteers shall spend one year in service to local government agencies and private, nonprofit corporations. The program shall provide recruitment, placement, training, and support of volunteers in nonstaff activities which focus on human, social, and environmental services. A report on the placement of volunteers under this program shall be provided to the legislature not later than January 15, 1976. Federal funds shall be expended in lieu of state funds if such federal funds become available for this program.

(3) \$500,000 of the unemployment compensation administration fund appropriation—federal contained in this section shall be expended by the department under the direction of the commissioner of the employment security department for the purpose of paying for rents and premises of the employment security department and for the purpose of paying the legally authorized and required salaries and fringe benefits to the employees of the employment security department, in the event and to the extent that the United States or its agents fail or refuse to supply sufficient current obligational authority to make such payments to provide needed facilities necessary to carry out the activities of the employment security department of the state of Washington. The amount appropriated pursuant to this subsection during any twelve-month period beginning on July 1, 1975, and ending June 30, 1976, shall not exceed the amount by which (a) the aggregate of the amount credited to the account of this state pursuant to section 903 of the Social Security Act during such twelve-month period and the twenty-four preceding twelve-month periods exceeds (b) the aggregate of the amounts obligated for the administration and paid out for benefits and charged against the amounts credited to the account of the state during such twenty-five twelve-month period.

(4) \$90,000 of the general fund appropriation—state contained in this section shall be expended for the continuation and implementation of an experimental program leading to employment of mentally retarded persons currently in activity centers, sheltered workshops, and group homes or schools for the mentally retarded. This program shall include employment preparation, diagnostic orientation and testing, academic tutoring, social adjustment, orientation to employment and employment relationships, job search and placement, and employer orientation to provide employers of the trainees with an understanding of the unique assets and limitations of the mentally retarded as they relate to employment responsibilities. The program shall provide for financial penalties to the extent that such performance objectives are not met, and a new, competitive bid process be employed which stresses assessment of past performance by interested potential contractors.

A report on the activities and progress of this program shall be made to the standing ways and means committees no later than December 1, 1975, and December 1, 1976, including, but not limited to:

- (a) The contractors assigned;
- (b) The amount and purpose of the contract; and
- (c) A detailed description of services performed.

(5) \$175,000 of the general fund appropriation—state contained in this section shall be expended for the continuation and further development of a program for the delivery of specialized employment services to persons previously convicted of a felony. All offenders receiving parole stipend moneys shall actively participate in preemployment counseling and placement programs approved by the department of employment security and refusal to participate in programs authorized by this subsection shall result in termination of any post release stipend being provided to said felons. The department shall contract for the development of such a program after calling for competitive bids. Contracts awarded under this subsection shall contain performance specifications and financial penalties to the contractor in the event of nonperformance, and a new, competitive bid process be employed which stresses assessment of past performance by interested potential contractors.

A report on the activities and progress of this program shall be made to the standing ways and means committees no later than December 1, 1975, and December 1, 1976, including, but not limited to:

- (a) The contractors assigned;
- (b) The amount and purpose of the contract; and
- (c) A detailed description of services performed.

(6) \$300,000 of the general fund appropriation—state contained in this section shall be expended for continuation of an ongoing performance oriented program of moving unemployed persons to full time employment: PROVIDED FURTHER, That a new, competitive bid process be employed which stresses assessment of past performance by interested potential contractors.

A report on the activities and progress of this program shall be made to the standing ways and means committees no later than December 1, 1975, and December 1, 1976, including, but not limited to:

- (a) The contractors assigned;
- (b) The amount and purpose of the contract; and
- (c) A detailed description of services performed.

(7) \$150,000 of the general fund appropriation—state and \$600,000 of the general fund appropriation—federal contained in this section shall be expended to implement the intent of the legislature that new and innovative efforts be made to assist, through concentrated and more effective use and coordination of federal, state, and local government training and employment programs, those persons in the state of Washington who are unemployed and who, to again become productively employed, must make career changes for economic, technological, or health reasons. It is also intended that these efforts be concentrated principally toward the utilization of existing government programs and facilities and particularly the CETA programs and related programs and facilities of the departments of social and health services and employment security.

The appropriation contained in this subsection is to fund a pilot program that shall include career change centers that will provide diagnostic services, family, resource and situational counseling, supporting services, job training, and search and placement for the target population.

The department of employment security shall be responsible for contracting and management of this program and other involved state agencies shall provide program and facilities support as determined reasonable and necessary by the department of employment security.

The planning and community affairs agency shall provide to the department of employment security the necessary CETA funds required to implement this program including counties with a population of 100,000 or less.

The career change center component of this program shall be let for competitive bid to qualified private educational and manpower training agencies with the contracts to specify performance criteria and substantial financial penalties for nonperformance.

A report on the activities and progress of this program shall be made to the standing ways and means committees no later than December 1, 1975, and December 1, 1976, including, but not limited to:

- (a) The contractors assigned;
- (b) The amount and purpose of the contract; and
- (c) A detailed description of services performed.

(8) \$75,000 of the general fund appropriation—state shall be expended to implement the intent of the legislature that a program be instituted through contracts with private training schools for the delivery of training and placement services to persons applying at food banks. The contracts for services shall be based on performance criteria with significant penalties for nonperformance, and contractors shall be chosen on a competitive basis by the department of employment security. The department shall administer the program and shall report the combined results of this project as well as the prior project carried out under section 22, chapter 197, Laws of 1974 ex. sess., to the legislature in January.

**NEW SECTION. Sec. 74. FOR THE DEPARTMENT OF TRANSPORTATION**

General Fund—Public Transportation Account Appropriation .....	\$ 553,400
Total Appropriation .....	\$ 553,400

The appropriation contained in this section shall be subject to the following condition or limitation: Expenditure is contingent upon the enactment of chapter ..., Laws of 1975 1st ex. sess. (SSB 2535).

**NEW SECTION. Sec. 75. FOR THE COMPACT FOR EDUCATION**

General Fund Appropriation .....	\$ 35,000
Total Appropriation .....	\$ 35,000

**NEW SECTION. Sec. 76. FOR THE COUNCIL ON HIGHER EDUCATION**

General Fund Appropriation—State .....	\$ 8,602,978
General Fund Appropriation—Federal .....	\$ 860,000
Total Appropriation .....	\$ 9,462,978

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The council shall submit a report to the legislature and the governor not later than July 1, 1976, concerning the results of the Technological Clearinghouse and its achievements in improving the understanding of and opportunities for technological education in this state and the need for possible future funding for such purpose.

(2) \$242,000 shall be expended for the Western Interstate Commission for Higher Education and \$171,300 of such funds shall be expended to financially assist the education of Washington students enrolled in optometry programs in other western states through the WICHE student exchange program.

**NEW SECTION. Sec. 77. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$ 397,970
Total Appropriation .....	\$ 397,970

**NEW SECTION. Sec. 78. FOR THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION**

General Fund Appropriation—State .....	\$ 214,012
General Fund Appropriation—Federal .....	\$ 250,000
Total Appropriation .....	\$ 464,012

**NEW SECTION. Sec. 79. FOR THE WASHINGTON STATE ARTS COMMISSION**



General Fund Appropriation—State .....	\$	326,781
General Fund Appropriation—Federal .....	\$	825,000
Total Appropriation .....	\$	1,151,781

The appropriations contained in this section shall be subject to the following condition or limitation: \$127,170 of grants shall be expended for continuation of the Center for Creativity at Fort Worden.

**NEW SECTION. Sec. 80. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION**

General Fund Appropriation .....	\$	273,506
General Fund—State Capitol Historical Association Museum Account Appropriation .....	\$	20,000
Total Appropriation .....	\$	293,506

**NEW SECTION. Sec. 81. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	302,875
Total Appropriation .....	\$	302,875

**NEW SECTION. Sec. 82. FOR THE STATE LIBRARY**

General Fund Appropriation—State .....	\$	6,953,334
General Fund Appropriation—Federal .....	\$	960,315
General Fund Appropriation—Private .....	\$	802,000
Total Appropriation .....	\$	8,715,649

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not less than \$474,000 shall be expended for library services to the blind and handicapped by interagency reimbursement from the department of social and health services.

(2) \$10,000 shall be expended to conduct a study of the feasibility and alternatives to a library materials central storage facility for both public and academic libraries. Such study shall be coordinated by the state library with representatives from public libraries and college and university libraries and the report shall be submitted to the next regular session of the legislature.

(3) \$2,927,346 shall be expended for final development and operations of a computerized cataloging, acquisition, and circulation network system with the expansion of such system to the University of Washington and Washington State University.

(4) All work orders and deliverables in the further development of the computerized network system shall be approved by the Washington State Data Processing Authority.

(5) By January 1, 1976, a billing system for the participants' share of the cost of the computerized network system shall be established and all participants within the system and all future participants shall be billed pursuant to such billing system commencing with the first day of the next succeeding biennium.

**NEW SECTION. Sec. 83. FOR THE COORDINATING COUNCIL FOR OCCUPATIONAL EDUCATION (OR ITS STATUTORY SUCCESSOR) AND FOR THE ADVISORY COUNCIL FOR VOCATIONAL EDUCATION**

General Fund Appropriation—State .....	\$	1,368,155
General Fund Appropriation—Federal .....	\$	20,364,929
Total Appropriation .....	\$	21,733,084

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The appropriations contained in this section are appropriated to the Coordinating Council for Occupational Education or, contingent on the enactment of chapter ..., Laws of 1975 1st ex. sess. (ESSB 2463), to the Commission on Vocational Education, and such commission shall be subject to the provisions of such act.

(2) It is the intent of the legislature that an examination be conducted by the office of program planning and fiscal management of the desirability and feasibility of eliminating positions not necessary for state level vocational education administration and that any such funds made available by such reduction in staff shall be allocated for support of local vocational education programs. The plan implementation for reduction of such staff shall be reported to the standing ways and means committees no later than January 1, 1976.

(3) It is the intent of the legislature that no state funds shall be expended by the Advisory Council on Vocational Education.

**NEW SECTION. Sec. 84. COMMUNITY COLLEGE EDUCATION.** The appropriations contained in sections 86 through 90 of this act shall be subject to the following conditions and limitations:

(1) The base system-wide formula funding levels included in the appropriations made in sections 86 through 90 of this act for each year of the biennium are:

(a) Student services program—45% of formula entitlements;

(b) Operation and maintenance program:

(i) 100% of formula entitlement for fixed costs; and

(ii) 60% of formula entitlement for variable costs;

(c) Library services program:

(i) 55% of formula entitlement for staffing;

(ii) 52% of formula entitlement for collections in fiscal year 1976; and

(iii) 54% of formula entitlement for collections in fiscal year 1977;

(d) Instruction program:

- (i) 72% of formula entitlement for faculty staffing; and
- (ii) 60% of formula entitlement for support staff and operations.

(2) It is the intent of the legislature that the state board for community college education shall not transfer more than 5% of the funds generated by the formula entitlements set forth in subsection (1) of this section between programs. Such transfers are subject to review and approval by the office of program planning and fiscal management. If any transfers between programs, up to the limit authorized by this subsection, are made during the biennium the state board shall report the amounts and purposes of such transfers to the standing ways and means committees at the next regular session of the legislature.

(3) No community college district may increase their 1974-75 FTE faculty positions to a level which is higher than that supported by the percent of formula funded in the appropriations made in section 90 of this act, except for those faculty positions associated with the new programs approved by the state board.

(4) The legislature directs that Olympia Vocational-Technical Institute shall not become a comprehensive community college and shall offer only those courses essential to vocational education.

**NEW SECTION.** Sec. 85. The funds appropriated by sections 86 through 90 of this act shall be distributed to the community college districts by the state board for community college education under the authority granted to the state board by chapter 28B.50 RCW.

**NEW SECTION.** Sec. 86. **FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

General Fund Appropriation .....	\$	3,422,772
Total Appropriation .....	\$	3,422,772

The appropriation contained in this section shall be subject to the following condition or limitation: \$1,026,850 shall be expended for the maintenance and development of the management information system and such funds shall be expended only pursuant to a plan approved by the Washington state data processing authority.

**NEW SECTION.** Sec. 87. **FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$	17,876,642
Total Appropriation .....	\$	17,876,642

**NEW SECTION.** Sec. 88. **FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	18,947,141
Total Appropriation .....	\$	18,947,141

The appropriation contained in this section shall be subject to the following condition or limitation: \$900,000 shall be distributed by the state board and expended for the continuation of programs for minority and disadvantaged students.

**NEW SECTION.** Sec. 89. **FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	18,954,969
Total Appropriation .....	\$	18,954,969

**NEW SECTION.** Sec. 90. **FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE LIBRARY SERVICES PROGRAM**

General Fund Appropriation .....	\$	8,374,158
Total Appropriation .....	\$	8,374,158

**NEW SECTION.** Sec. 91. **FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTRUCTION PROGRAM**

General Fund Appropriation .....	\$	113,632,301
Total Appropriation .....	\$	113,632,301

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,333,734 shall be expended for the purchase and repair of instructional equipment.
- (2) \$1,826,068 shall be expended for the small school adjustment to Whatcom, Olympia Vocational Technical Institute, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, Walla Walla, and Skagit Valley Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 72% base level for each 100 FTE students below the 2,500 enrollment level, except that no college shall be funded in excess of 87% of formula.
- (3) \$883,009 shall be expended exclusively for maintaining the current dental hygiene programs.

**NEW SECTION.** Sec. 92. **HIGHER EDUCATION.**

The appropriations contained in sections 93 through 148 of this act shall be subject to the following conditions and limitations:

(1) The base formula funding for the four year institutions of higher education, unless otherwise provided for in sections 93 through 148 of this act, for each year of the biennium are based in part on special nonformula items and in part on the following formula entitlements:

- (a) Student services program—75% of formula entitlement;

- (b) Plant operations and maintenance program:
  - (i) 60% of formula entitlement for variable costs; and
  - (ii) 100% of formula entitlement for fixed costs;
- (c) Instruction and departmental research—General program:
  - (i) 70% of formula entitlement for faculty staffing for the University of Washington and Washington State University;
  - (ii) 72% of formula entitlement for faculty staffing for the four year state colleges; and
  - (iii) 75% of formula entitlement for faculty support;
- (d) Libraries program—55% of formula entitlement for staffing.

(2) It is the intent of the legislature that the four year institutions of higher education are authorized to transfer up to five percent of the amount appropriated for any specific program or programs upon review and approval by the office of program planning and fiscal management. If any transfers between programs, up to the limit authorized by this subsection, are made during the biennium, the institution shall report the amount and purpose of any such transfer to the standing ways and means committees at the next regular session of the legislature.

**NEW SECTION. Sec. 93. FOR THE UNIVERSITY OF WASHINGTON—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$ 16,618,808
Total Appropriation .....	\$ 16,618,808

**NEW SECTION. Sec. 94. FOR THE UNIVERSITY OF WASHINGTON—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$ 6,795,553
Total Appropriation .....	\$ 6,795,553

The appropriation contained in this section shall be subject to the following condition or limitation: Not less than \$1,450,000 shall be expended for the educational opportunity program.

**NEW SECTION. Sec. 95. FOR THE UNIVERSITY OF WASHINGTON—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$ 24,370,000
Total Appropriation .....	\$ 24,370,000

**NEW SECTION. Sec. 96. FOR THE UNIVERSITY OF WASHINGTON—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$ 11,889,451
Total Appropriation .....	\$ 11,889,451

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 79.6% of such formula entitlement for collections for the first year of the 1975-77 biennium and is at 80.4% of such formula entitlement for collections for the second year of the 1975-77 biennium and is at 74.6% of such formula entitlement for staffing for the first year of the 1975-77 biennium and is at 73.5% of such formula entitlement for the second year of the 1975-77 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 97. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH—GENERAL PROGRAM**

General Fund Appropriation .....	\$ 66,456,354
Total Appropriation .....	\$ 66,456,354

**NEW SECTION. Sec. 98. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH—HEALTH SCIENCES PROGRAM**

General Fund Appropriation .....	\$ 31,388,410
Total Appropriation .....	\$ 31,388,410

**NEW SECTION. Sec. 99. FOR THE UNIVERSITY OF WASHINGTON—FOR THE JOINT CENTER FOR GRADUATE STUDY—RICHLAND PROGRAM**

General Fund Appropriation .....	\$ 313,574
Total Appropriation .....	\$ 313,574

**NEW SECTION. Sec. 100. FOR THE UNIVERSITY OF WASHINGTON—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation .....	\$ 2,773,677
Total Appropriation .....	\$ 2,773,677

**NEW SECTION. Sec. 101. FOR THE UNIVERSITY OF WASHINGTON—FOR THE UNIVERSITY HOSPITAL PROGRAM**

General Fund Appropriation .....	\$ 7,700,700
Total Appropriation .....	\$ 7,700,700

The appropriation contained in this section shall be subject to the following condition or limitation: \$900,000 contained in this appropriation is contingent upon the passage of chapter ..., Laws of 1975 1st ex. sess. (SB 2619).

**NEW SECTION. Sec. 102. FOR THE UNIVERSITY OF WASHINGTON—FOR THE HARBORVIEW MEDICAL CENTER PROGRAM**

General Fund Appropriation .....	\$	6,109,597
Total Appropriation .....	\$	6,109,597

**NEW SECTION. Sec. 103. FOR THE UNIVERSITY OF WASHINGTON—FOR THE EXTENSION AND PUBLIC SERVICES PROGRAM**

General Fund Appropriation .....	\$	2,528,640
Total Appropriation .....	\$	2,528,640

**NEW SECTION. Sec. 104. FOR THE UNIVERSITY OF WASHINGTON—FOR THE SEPARATELY BUDGETED RESEARCH PROGRAM**

General Fund Appropriation .....	\$	2,907,366
Accident Fund Appropriation .....	\$	717,500
Medical Aid Fund Appropriation .....	\$	717,500
Total Appropriation .....	\$	4,342,366

The appropriations contained in this section shall be subject to the following condition or limitation: \$234,586 of the general fund appropriation shall be expended to provide, to the school of public health and community medicine sufficient funds to implement a program of research and analysis of health care and health care programs in the state of Washington that will provide independent data to the legislative and administrative branches of state government necessary to the formulation of policies and the development of improved health care programs.

**NEW SECTION. Sec. 105. FOR THE UNIVERSITY OF WASHINGTON**

General Fund Appropriation .....	\$	500,000
Total Appropriation .....	\$	500,000

The appropriation contained in this section shall be for the support of Washington State University's participation in the WAMI program.

**NEW SECTION. Sec. 106. FOR WASHINGTON STATE UNIVERSITY—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$	7,985,900
Total Appropriation .....	\$	7,985,900

**NEW SECTION. Sec. 107. FOR WASHINGTON STATE UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	4,534,073
Total Appropriation .....	\$	4,534,073

**NEW SECTION. Sec. 108. FOR WASHINGTON STATE UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	9,439,100
Total Appropriation .....	\$	9,439,100

**NEW SECTION. Sec. 109. FOR WASHINGTON STATE UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	5,145,164
Total Appropriation .....	\$	5,145,164

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 72.9% of such formula entitlement for collections in the first year of the 1975-77 biennium and is at 73.6% of such formula entitlement for collections in the second year of the 1975-77 biennium.

**NEW SECTION. Sec. 110. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH—GENERAL PROGRAM**

General Fund Appropriation .....	\$	34,480,169
Total Appropriation .....	\$	34,480,169

**NEW SECTION. Sec. 111. FOR WASHINGTON STATE UNIVERSITY—FOR INSTRUCTION AND DEPARTMENTAL RESEARCH—HEALTH SCIENCES PROGRAM**

General Fund Appropriation .....	\$	6,367,003
Total Appropriation .....	\$	6,367,003

**NEW SECTION. Sec. 112. FOR WASHINGTON STATE UNIVERSITY—FOR THE JOINT CENTER FOR GRADUATE STUDY—RICHLAND PROGRAM**

General Fund Appropriation .....	\$	313,574
Total Appropriation .....	\$	313,574

**NEW SECTION. Sec. 113. FOR WASHINGTON STATE UNIVERSITY—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation .....	\$	678,864
Total Appropriation .....	\$	678,864

**NEW SECTION. Sec. 114. FOR WASHINGTON STATE UNIVERSITY—FOR THE AGRICULTURAL COOPERATIVE EXTENSION PROGRAM**

General Fund Appropriation .....	\$	5,172,700
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Total Appropriation .....	\$ 5,172,700
<b>NEW SECTION. Sec. 115. FOR WASHINGTON STATE UNIVERSITY—FOR THE EXTENSION AND PUBLIC SERVICES—GENERAL PROGRAM</b>	
General Fund Appropriation .....	\$ 1,625,900
Total Appropriation .....	\$ 1,625,900
<b>NEW SECTION. Sec. 116. FOR WASHINGTON STATE UNIVERSITY—FOR THE SEPARATELY BUDGETED RESEARCH—AGRICULTURAL PROGRAM</b>	
General Fund Appropriation .....	\$ 12,577,900
Total Appropriation .....	\$ 12,577,900
<b>NEW SECTION. Sec. 117. FOR WASHINGTON STATE UNIVERSITY—FOR THE SEPARATELY BUDGETED RESEARCH—ENGINEERING PROGRAM</b>	
General Fund Appropriation .....	\$ 2,109,300
Total Appropriation .....	\$ 2,109,300
<b>NEW SECTION. Sec. 118. FOR WASHINGTON STATE UNIVERSITY—FOR THE SEPARATELY BUDGETED RESEARCH—OTHER PROGRAM</b>	
General Fund Appropriation .....	\$ 1,465,400
Total Appropriation .....	\$ 1,465,400
NEW SECTION. Sec. 119. The legislature hereby directs that Western Washington State College shall not expend any of the funds appropriated to it by sections 120 through 127 of this act for the development of a Ph.D. program in any academic discipline or subject field.	
<b>NEW SECTION. Sec. 120. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM</b>	
General Fund Appropriation .....	\$ 2,979,100
Total Appropriation .....	\$ 2,979,100
<b>NEW SECTION. Sec. 121. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM</b>	
General Fund Appropriation .....	\$ 2,066,100
Total Appropriation .....	\$ 2,066,100
<b>NEW SECTION. Sec. 122. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM</b>	
General Fund Appropriation .....	\$ 3,561,500
Total Appropriation .....	\$ 3,561,500
<b>NEW SECTION. Sec. 123. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM</b>	
General Fund Appropriation .....	\$ 1,850,449
Total Appropriation .....	\$ 1,850,449
The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 97.5% of such formula entitlement for collections in the first year of the 1975-77 biennium and is at 99.4% of such formula entitlement for collections in the second year of the 1975-77 biennium.	
<b>NEW SECTION. Sec. 124. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH PROGRAM</b>	
General Fund Appropriation .....	\$ 18,582,855
Total Appropriation .....	\$ 18,582,855
<b>NEW SECTION. Sec. 125. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM</b>	
General Fund Appropriation .....	\$ 694,900
Total Appropriation .....	\$ 694,900
<b>NEW SECTION. Sec. 126. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE EXTENSION AND PUBLIC SERVICE PROGRAM—FOR THE FAIRHAVEN BRIDGE PROGRAM</b>	
General Fund Appropriation .....	\$ 80,000
Total Appropriation .....	\$ 80,000
<b>NEW SECTION. Sec. 127. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE SEPARATELY BUDGETED RESEARCH PROGRAM</b>	
General Fund Appropriation .....	\$ 50,000
Total Appropriation .....	\$ 50,000
<b>NEW SECTION. Sec. 128. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM</b>	
General Fund Appropriation .....	\$ 2,107,000
Total Appropriation .....	\$ 2,107,000

**NEW SECTION, Sec. 129. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	1,821,700
Total Appropriation .....	\$	1,821,700

**NEW SECTION, Sec. 130. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	3,660,100
Total Appropriation .....	\$	3,660,100

**NEW SECTION, Sec. 131. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	1,677,700
Total Appropriation .....	\$	1,677,700

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 86.2% of such formula entitlement for collections for the first year of the 1975-77 biennium and is at 87.1% of such formula entitlement for collections for the second year of the 1975-77 biennium.

**NEW SECTION, Sec. 132. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH PROGRAM**

General Fund Appropriation .....	\$	15,342,087
Total Appropriation .....	\$	15,342,087

**NEW SECTION, Sec. 133. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation .....	\$	1,413,100
Total Appropriation .....	\$	1,413,100

The appropriation contained in this section shall be subject to the following condition or limitation: \$250,000 shall be expended for the conversion of existing data processing systems from their current environment to a joint utilization of other shared state data processing resources.

**NEW SECTION, Sec. 134. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE SEPARATELY BUDGETED RESEARCH PROGRAM**

General Fund Appropriation .....	\$	40,000
Total Appropriation .....	\$	40,000

**NEW SECTION, Sec. 135. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$	2,193,800
Total Appropriation .....	\$	2,193,800

**NEW SECTION, Sec. 136. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	1,250,900
Total Appropriation .....	\$	1,250,900

**NEW SECTION, Sec. 137. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	4,488,300
Total Appropriation .....	\$	4,488,300

**NEW SECTION, Sec. 138. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	1,381,330
Total Appropriation .....	\$	1,381,330

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 82.8% of such formula entitlement for collections for the first year of the 1975-77 biennium and is at 83.3% of such formula entitlement for collections for the second year of the 1975-77 biennium.

**NEW SECTION, Sec. 139. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE GENERAL INSTRUCTION PROGRAM**

General Fund Appropriation .....	\$	14,360,189
Total Appropriation .....	\$	14,360,189

**NEW SECTION, Sec. 140. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH—HEALTH SCIENCES PROGRAM**

General Fund Appropriation .....	\$	330,033
Total Appropriation .....	\$	330,033

**NEW SECTION, Sec. 141. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation .....	\$	1,336,200
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Total Appropriation ..... \$ 1,336,200

**NEW SECTION. Sec. 142. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE SEPARATELY BUDGETED RESEARCH PROGRAM**

General Fund Appropriation ..... \$ 10,000  
Total Appropriation ..... \$ 10,000

**NEW SECTION. Sec. 143. FOR THE EVERGREEN STATE COLLEGE—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation ..... \$ 1,767,300  
Total Appropriation ..... \$ 1,767,300

**NEW SECTION. Sec. 144. FOR THE EVERGREEN STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 677,734  
Total Appropriation ..... \$ 677,734

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the student services budget model and the funding level contained in this section is at 85% of such formula entitlement for the first year of the 1975-77 biennium and is at 75% of such formula entitlement for the second year of the 1975-77 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 145. FOR THE EVERGREEN STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 2,683,299  
Total Appropriation ..... \$ 2,683,299

**NEW SECTION. Sec. 146. FOR THE EVERGREEN STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 1,416,823  
Total Appropriation ..... \$ 1,416,823

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 82.9% of such formula entitlement for collections for the first year of the 1975-77 biennium and is at 82.1% of such formula entitlement for collections for the second year of the 1975-77 biennium.

**NEW SECTION. Sec. 147. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH PROGRAM**

General Fund Appropriation ..... \$ 5,387,428  
Total Appropriation ..... \$ 5,387,428

**NEW SECTION. Sec. 148. FOR THE EVERGREEN STATE COLLEGE—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation ..... \$ 600,000  
Total Appropriation ..... \$ 600,000

**NEW SECTION. Sec. 149. K-12 PROGRAM.**

The appropriations contained in sections 150 through 165 of this act shall be subject to the following conditions and limitations:

(1) No funds shall be expended to support the state board of education's adopted 1971 "Guidelines and Standards" relating to the preparation of professional education staff. No funds shall be expended for development, implementation, or continuation of activities associated with the 1971 "Guidelines and Standards".

(2) No funds shall be expended directly or indirectly for purposes of advancing the development of occupational skill centers. Operations of skill centers in existence on the effective date of this act may be continued.

**NEW SECTION. Sec. 150. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State ..... \$ 8,618,921  
General Fund Appropriation—Federal ..... \$ 3,904,000  
General Fund—Traffic Safety Education Account Appropriation ..... \$ 667,690  
Total Appropriation ..... \$ 13,190,611

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The superintendent of public instruction is authorized to continue operating a career education program through the 1975-77 biennium.

(2) \$280,000 shall be expended exclusively to provide support for legal actions against local school districts which result from reduction-in-force procedures. Such funds may only be disbursed to local school districts on approval of the superintendent of public instruction and no such funds shall be disbursed after March 15, 1976. Disbursements shall be made to local school districts only if such districts provide at least twenty-five percent of the costs of such legal actions from nonappropriated funds.

(3) Not more than \$90,000 shall be expended to provide office support for the management of the transportation program.

(4) Not more than \$667,690 shall be expended for state office administration of the traffic safety education program. The superintendent of public instruction shall develop a plan for reducing administrative costs associated with such program and submit the plan to the standing ways and means committees no later than July 1, 1976.

(5) The state board of education shall not reduce the number of intermediate school districts, including any realignment of boundaries, until approval is received by the legislature.

**NEW SECTION. Sec. 151. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
GENERAL APPORTIONMENT**

General Fund Appropriation:

For General Apportionment .....	\$ 1,073,195,265
Total Appropriation .....	\$ 1,073,195,265

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Salary increases for classified and certificated employees of common school districts are not mandated by the provisions of this section.

(2) Any local school district which does provide a salary increase from funds appropriated by this section shall provide a district-wide salary increase which is equal for both certificated and classified personnel.

(3) Local school districts receiving funds from the appropriation made in this section may expend all or a portion of such funds to retain needed personnel in-lieu of salary increases.

(4) It is the intent of the legislature that to the extent that any district receives funds through the state apportionment formula in excess of the amount anticipated by such a district when it established its excess levy for collection in 1976 and when such excess can be utilized to relieve special levy burdens, then such a district should place a first priority on reducing its special levy.

(5) The superintendent of public instruction is hereby authorized to direct from the appropriation contained in this section, such funds as may be necessary to grant salary increases for certificated and classified employees funded through categorical programs, but in no event shall such allocation exceed the average salary increase amount authorized for state employees during the 1975-76 fiscal year.

(6) The weighting schedule used by the superintendent of public instruction during the 1975-77 biennium in computing the apportionment of funds for each school district shall be based on the following factors:

- (a) A base weighting factor of 1.0 for each full time equivalent student enrolled;
- (b) An additional weighting factor of 1.0 for each full time equivalent student enrolled in vocational education in grades 9-12 which is approved by the superintendent of public instruction. The superintendent of public instruction shall report the results of a comprehensive study on vocational education to the standing ways and means committees no later than January 1, 1976. Such study shall document the cost of vocational education presently qualifying for 0.2 support on a sample basis. Such study shall include an examination of the criteria for determining full time equivalents and recommendations for alternative funding procedures and a time line for implementation thereof;
- (c) Continuation of the weighting factors used by the superintendent of public instruction for the purpose of reimbursement to each school district for costs resulting from staff education and experience greater than the minimum requirements. The superintendent of public instruction shall employ the staff characteristic factor of the respective local districts established in each of the immediately preceding school years for purposes of distribution throughout the 1975-77 biennium;
- (d) An additional weighting factor of not more than 2.0 as determined by the superintendent of public instruction for school districts enrolling not more than 250 full time equivalent students in grades 9-12;
- (e) An additional weighting factor of not more than 2.0 as determined by the superintendent of public instruction for nonhigh school districts enrolling not more than 100 full time equivalent students which districts have been judged to be remote and necessary by the state board of education;
- (f) An additional weighting factor of not more than 2.0 as determined by the superintendent of public instruction for small school plants which are judged remote and necessary within any school district by the state board of education;
- (g) An additional weighting factor for a period of not more than four years, for any consolidated school district formed after July 1, 1971, equal to the additional weighting factor in effect in each qualifying district during the school year immediately preceding consolidation, which district consists of one or more former school districts which were either remote and necessary or which contained not more than 250 students in grades 9-12;
- (h) An additional weighting factor of 0.25 for full time equivalent students residing on tax exempt property as set forth in RCW 28A.41.140(6)(b) or (c); and
- (i) An additional weighting factor of 0.25 for full time equivalent students in an approved inter-district cooperative program as authorized by RCW 28A.41.140(6)(a) and 28A.58.075.



(7) It is the intent of the legislature that a portion of the funds appropriated by this section for general apportionment may be used by school districts for costs associated with public use of school gymnasiums during evening and weekend hours.

(8) During the 1975-77 biennium the superintendent of public instruction shall distribute not more than \$960,000 of the funds appropriated by this section for general apportionment, outside of the apportionment formula to school districts for the following purposes:

(a) To pay fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by the provisions of RCW 52.36.020 by the expenditure of not more than \$560,000;

(b) To pay for school district emergencies by the expenditure of not more than \$400,000.

(9) During the 1975-77 biennium the superintendent of public instruction may direct the expenditure of funds contained in this appropriation to fund the percentage of school psychologists, speech therapists and other ancillary personnel not funded in the handicapped excess cost appropriation for the 1975-77 biennium.

**NEW SECTION.** Sec. 152. There is hereby appropriated from the state general fund to the superintendent of public instruction for the biennium ending June 30, 1977, for distribution appropriate to the purposes of this section during the calendar year 1976 to school districts as hereinafter in this section provided, the sum of one hundred million dollars or so much thereof as may be necessary: PROVIDED, That not more than five percent of such amount shall be allocated to districts which have submitted but failed to authorize one or more excess levies for maintenance and operations in 1976 and with a relatively high percentage of urban, rural, racial, and disadvantaged children to continue quality educational programs for the 1976 calendar year, eighty percent of such amount in the 1975-76 school year and twenty percent of such amount in the 1976-77 school year, at approximately the same student-teacher ratio that existed during the 1974-75 school year for any such districts or schools within such districts.

Allocations under this section for special levy relief shall be made by the superintendent of public instruction to local school districts in accordance with the following procedure:

Those local school districts which have received authorization for collection of an excess levy in 1976 for maintenance and operations or which have submitted one or more excess levies for maintenance and operations in 1976 shall receive an amount in the sum of seventy-two dollars per full time equivalent pupil enrolled for the 1975-76 school year and fifty-five dollars per full time equivalent pupil enrolled for the 1976-77 school year. The superintendent of public instruction shall determine and notify each local school district of the amount of such funds made available by this section. Each board of directors of a local school district which qualifies for an allotment of funds for special levy relief pursuant to the provisions of this section and has been authorized an excess levy for maintenance and operations for collection in 1976, prior to receiving an allotment of funds hereunder, shall certify to the respective county legislative authority a reduction in the excess levy equal to the amount of funds made available for special levy relief pursuant to this section. Any school district which fails to certify and roll back excess levies in the manner required by this section shall not receive any allotment from the superintendent of public instruction of the funds made available under this section.

Those local school districts which did not submit one or more excess levies for maintenance and operations for collection in 1976 and in addition experience a net per pupil expenditure, excluding transportation costs, of less than the state-wide average per student during the 1974-75 school year, shall receive an amount equal to twenty-five dollars per full time equivalent pupil during both the 1975-76 and 1976-77 school year.

The superintendent of public instruction, pursuant to chapter 34.04 RCW, shall promulgate rules and regulations to effect the intent of this section.

**NEW SECTION.** Sec. 153. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR HANDICAPPED EXCESS COSTS

General Fund Appropriation—State .....	\$	73,163,256
General Fund Appropriation—Federal .....	\$	3,423,000
Total Appropriation .....	\$	76,586,256

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The number of students receiving special education for learning language disabilities shall be increased from 0.8 percent to 1.0 percent of the total student enrollment during the 1975-76 school year.

(2) Not more than \$2,437,230 of the funds contained in the appropriations made in this section shall be held in reserve to increase the current percentage to 1.5 percent of the total student enrollment during the 1976-77 school year upon satisfactory completion of the requirement set forth in subsection (3) of this section.

(3) No reserve funds shall be released without approval of the legislative budget committee and that committee shall not release such funds until the superintendent of public instruction has implemented an appropriate screening device designed to identify children with learning language disabilities. The office of the superintendent of public instruction shall not expend more than \$40,000 of the funds contained in these appropriations to implement such a screening device.

(4) Handicapped program categories are budgeted for on the student-teacher ratios provided for by the rules and regulations adopted by the superintendent of public instruction with the exception of resource rooms which are budgeted for on a ratio of 35 students to 1 teacher.

(5) During the 1975-76 school year the superintendent of public instruction shall implement a system of monthly reporting by each school district of handicapped student enrollments by the disability categories.

(6) A committee composed of ten persons (three appointed by the superintendent of public instruction, three appointed by the governor, two appointed by each of the standing ways and means committees), which shall be provided such support services by the superintendent of public instruction as are necessary to accomplish the tasks imposed by this subsection, shall provide a report to the office of program planning and fiscal management and the standing ways and means committees not later than July 1, 1976, which shall include, but not necessarily be limited to the following:

- (a) Redefinition by handicapped category of eligibility criteria for excess cost funding including type of disability, degree of disability, and related criteria;
- (b) Coordination of definitions and criteria with mental health, developmental disabilities, and other related programs of the department of social and health services;
- (c) A state-wide needs assessment which shall be a six year projection;
- (d) A thorough review of screening techniques and referral processes;
- (e) A reevaluation of instructional methods; and
- (f) A revision of accounting and reporting requirements to insure accountability of expenditures to budget assumptions and to measure the effectiveness of special education programs in assisting students to achieve their appropriate grade levels.

(7) Not more than \$36,000 shall be used to initiate a program to instruct teachers and school nurses in techniques for recognizing and caring for epileptic students.

**NEW SECTION. Sec. 154. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR PUPIL TRANSPORTATION**

General Fund Appropriation .....	\$ 61,699,889
Total Appropriation .....	\$ 61,699,889

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$350,000 shall be expended to provide for the improved management of the transportation and safety programs initiated by chapter 91, Laws of 1974 ex. sess.

(2) The superintendent of public instruction shall develop a new vehicle depreciation schedule that more accurately reflects the useful life of transportation equipment and shall report recommendations to the respective ways and means committees of the legislature not later than September 1, 1975.

**NEW SECTION. Sec. 155. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-  
TECHNICAL INSTITUTES**

General Fund Appropriation .....	\$ 20,398,748
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**NEW SECTION. Sec. 156. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State .....	\$ 8,866,998
General Fund Appropriation—Federal .....	\$ 3,699,540
Total Appropriation .....	\$ 12,566,538

**NEW SECTION. Sec. 157. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR URBAN RURAL RACIAL DISADVANTAGED PROGRAMS**

General Fund Appropriation .....	\$ 9,611,362
Total Appropriation .....	\$ 9,611,362

The appropriation contained in this section shall be subject to the following condition or limitation: Not less than \$1,000,000 shall be expended for districts with an average annual enrollment of 2,500 full time equivalent students or less.

**NEW SECTION. Sec. 158. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR INTERMEDIATE SCHOOL DISTRICTS**

General Fund Appropriation .....	\$ 3,624,870
Total Appropriation .....	\$ 3,624,870

**NEW SECTION. Sec. 159. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE GIFTED PUPIL PROGRAM**

General Fund Appropriation .....	\$ 913,000
Total Appropriation .....	\$ 913,000

The appropriation contained in this section shall be subject to the following condition or limitation: The superintendent of public instruction shall provide a report to the legislative budget committee not later than July 1, 1976, which shall include the following:

- (1) A state-wide needs assessment which shall be a six year projection;
- (2) Quantifiable definitions of intellectually and creatively gifted students who are determined eligible for excess cost funding;
- (3) An explanation of screening techniques relating to gifted students;
- (4) A description of instructional methods relating to gifted students;
- (5) Program cost data; and

(6) Program success data.

**NEW SECTION. Sec. 160. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR CULTURAL ENRICHMENT PROGRAMS**

General Fund Appropriation .....	\$	1,111,781
Total Appropriation .....	\$	1,111,781

**NEW SECTION. Sec. 161. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE PACIFIC SCIENCE CENTER FOR MATHEMATICS AND SCIENCE EDUCATION  
SERVICES TO BE PROVIDED PUBLIC SCHOOL STUDENTS AND TEACHERS**

General Fund Appropriation .....	\$	513,121
Total Appropriation .....	\$	513,121

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$338,121 may be expended by the superintendent of public instruction to construct, remodel and equip an astronomy education facility upon property owned by Pacific Science Center Foundation for the purpose of providing such educational services.

(2) The superintendent of public instruction may contract to transfer title to such facility and equipment provided for in subsection (1) of this section to the Pacific Science Center Foundation or its successor at such time as the value of educational services provided to public school students and teachers exceeds the costs reimbursed by the superintendent of public instruction and participating school districts by an amount equivalent to at least the cost to the superintendent of public instruction for the construction and acquisition of such facility and equipment.

**NEW SECTION. Sec. 162. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation .....	\$	8,951,410
Total Appropriation .....	\$	8,951,410

**NEW SECTION. Sec. 163. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State .....	\$	7,650,964
General Fund Appropriation—Federal .....	\$	41,796,311
Total Appropriation .....	\$	49,447,275

**NEW SECTION. Sec. 164. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal .....	\$	60,731,414
Total Appropriation .....	\$	60,731,414
Elementary and Secondary Education Act of 1965 .....	\$	57,054,157
National Defense Education Act of 1958 .....	\$	617,257
Education of Indian Children .....	\$	1,810,000
Adult Basic Education .....	\$	1,250,000

**NEW SECTION. Sec. 165. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal .....	\$	15,221,787
Total Appropriation .....	\$	15,221,787

**NEW SECTION. Sec. 166. FOR THE OCEANOGRAPHIC COMMISSION**

General Fund Appropriation .....	\$	227,486
Total Appropriation .....	\$	227,486

The appropriation contained in this section shall be subject to the following limitation or condition: Not more than \$40,000 shall be expended on a research feasibility study for an underwater pipeline crossing of Admiralty Inlet. Results of such study shall be submitted to the legislature not later than January 1, 1976.

**NEW SECTION. Sec. 167. FOR THE DEPARTMENT OF ECOLOGY**

General Fund Appropriation—State .....	\$	14,205,592
General Fund Appropriation—Federal .....	\$	7,142,050
General Fund—Reclamation Revolving Account Appropriation .....	\$	526,000
General Fund—Litter Control Account Appropriation .....	\$	1,725,260
Stream Gaging Basic Data Fund Appropriation .....	\$	170,000
General Fund—Water Pollution Control Facilities Account Appropriation .....	\$	4,000,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26) .....	\$	93,744,785
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27) .....	\$	53,944,043
Total Appropriation .....	\$	175,457,730

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,063,931 in state funds from the appropriations contained herein shall be expended by the department for matching purposes for activated air pollution control authorities. If such authorities do not expend an equal amount to match such funds during the 1975-77 biennium, then such unmatched, unexpended state funds shall be available to the department.

(2) \$1,388,050 from federal air pollution control grant funds shall be made available to activated air pollution control authorities in the state as directed by the federal environmental protection agency.

(3) Not more than \$2,500 shall be expended for water master services in Walla Walla county.

(4) \$20,769,529 of the state and local improvements account—water supply appropriation shall be expended exclusively for agricultural water supply facilities. Not more than \$15,000,000 of such \$20,769,529 appropriation shall be expended for the Second Bacon Siphon and Tunnel.

(5) On or before October 1, 1975, the department of ecology shall file with the standing ways and means committees of the legislature a master compilation by project type of those projects proposed for funding during the 1975-77 biennium from the appropriations for waste disposal facilities and municipal and industrial water supply facilities. The department shall submit updates for the master compilation to the standing ways and means committees at six month intervals during the 1975-77 biennium. The updates shall reflect project completions, deletions, and substitutions or additions made during the course of administering such projects. If the department proposes to change or modify any project listed on the master compilation, it shall give the standing ways and means committees thirty days written notice of such change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall inform the standing ways and means committees as soon as is practicable of emergent federal action which has any affect whatsoever on the appropriations for waste disposal facilities and water supply facilities.

(6) The appropriation from the state and local improvements revolving account—municipal and industrial water supply facilities may be expended to pay up to fifty percent of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may loan up to one hundred percent of the eligible costs of preconstruction activities and the department may provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

(7) The appropriation from the state and local improvements revolving account—waste disposal facilities may be expended by the department to pay for up to fifty percent of the eligible cost of any project, as a grant or loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is hereby authorized to loan up to one hundred percent of the eligible costs of preconstruction activities. The department is hereby authorized to provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

**NEW SECTION. Sec. 168. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund Appropriation—State .....	\$ 3,600
General Fund Appropriation—Federal .....	16,000
Total Appropriation .....	\$ 19,600

**NEW SECTION. Sec. 169. FOR THE POLLUTION CONTROL HEARINGS BOARD**

General Fund Appropriation .....	\$ 404,756
Total Appropriation .....	\$ 404,756

**NEW SECTION. Sec. 170. FOR THE THERMAL POWER PLANT SITE EVALUATION COUNCIL**

General Fund Appropriation .....	\$ 324,609
Total Appropriation .....	\$ 324,609

The appropriation contained in this section is subject to the following condition or limitation: The council shall establish a schedule of charges for monitoring compliance with state site certification requirements. Such charges shall be sufficient to maintain the expense of the compliance monitoring function. The schedule shall be submitted to the standing ways and means committees of the legislature not later than November 30, 1975.

**NEW SECTION. Sec. 171. FOR THE SHORELINES HEARING BOARD**

General Fund Appropriation .....	\$ 56,000
Total Appropriation .....	\$ 56,000

**NEW SECTION. Sec. 172. FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund Appropriation—State .....	\$ 15,907,721
General Fund Appropriation—Federal .....	252,205
General Fund—Trust Land Purchase Account Appropriation .....	2,522,968
Motor Vehicle Fund Appropriation .....	\$ 600,000
General Fund—State and Local Improvement Revolving Account Appropria- tion—Public Recreation Facilities; Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. ....	\$ 625,000
Total Appropriation .....	\$ 19,907,894

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The commission shall make no contractual agreements or receive any donation of real property or an interest therein which commits the commission to either assuming on a current basis or to requesting funds at a future time for operating, development, or acquisition costs without prior approval of the legislative budget committee or the standing ways and means committees if the legislature is in session.

(2) \$6,125,450 shall be expended for the administrative services program to be funded from the following sources: \$2,750,277 from the state general fund, \$252,205 from the federal general fund, \$2,522,968 from the trust land purchase account, and \$625,000 from the state and local improvement revolving account.

Not more than \$35,000 shall be expended within the administrative services program for the purpose of studying the feasibility, desirability, and need for a greenway along the Yakima river from Selah Gap to Union Gap.

Not more than \$15,000 shall remain unexpended for the contingent purpose of making a grant to the Port of Skagit County in the event that the planned operation of the historical railroad from Sedro Woolley to Concrete is not fully self-supporting in the first year of operation.

It is the intent of the legislature that \$625,000 shall be expended for the "Historic Preservation Program" to be operated by the Commission. Such Commission and the office of program planning and fiscal management shall adopt rules and regulations pursuant to chapter 34.04 RCW for the purpose of administering such program.

(3) \$2,317,228 shall be expended for the resource development program to be funded by \$1,717,228 from the state general fund and \$600,000 from the motor vehicle fund appropriation.

(4) The park operation program is funded by \$11,440,216 from the state general fund.

\$60,000 shall be expended within the park operation program for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

**NEW SECTION. Sec. 173. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund—Outdoor Recreation Account Appropriation .....	\$	14,756,013
General Fund—Outdoor Recreation Account Appropriation; Appropriated pursuant to section 4(2), chapter 129, Laws of 1972 ex. sess. ....	\$	7,210,000
Total Appropriation .....	\$	21,966,013

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$818,732 of the Outdoor Recreation Account Appropriation of \$14,756,013 shall be expended for administration.

**NEW SECTION. Sec. 174. FOR THE COUNCIL ON ENVIRONMENTAL POLICY**

General Fund Appropriation .....	\$	44,324
Total Appropriation .....	\$	44,324

**NEW SECTION. Sec. 175. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation—State .....	\$	3,111,558
General Fund Appropriation—Federal .....	\$	250,000
Motor Vehicle Fund Appropriation .....	\$	295,277
Total Appropriation .....	\$	3,656,835

The appropriations contained in this section shall be subject to the following condition or limitation: \$286,400 of the general fund appropriation—state shall be available solely for service contracts on a one to one dollar match basis by nonprofit corporations, organizations, councils, or associations involved in local economic development.

**NEW SECTION. Sec. 176. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State .....	\$	16,134,576
General Fund Appropriation—Federal .....	\$	8,637,856
General Fund Appropriation—Local .....	\$	1,392,728
General Fund—Lewis River Hatchery Account Appropriation .....	\$	26,640
Total Appropriation .....	\$	26,191,800

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$200,000 of the general fund appropriation—state shall be expended for the operation of the Spaight Creek rearing unit.

(2) \$12,000 of the general fund appropriation—state shall be expended for an engineering survey of the Dungeness Diversion Dam in Clallam county.

(3) The expenditure of \$4,947,000 of the general fund appropriation—federal shall be contingent on the enactment of chapter ..., Laws of 1975 1st ex. sess. (SSB 2574). If chapter ..., Laws of 1975 1st ex. sess. (SSB 2574) is not enacted into law and federal funds are available to the state for purchase and removal of commercial fishing vessels, it is the intent of the legislature that the department of fisheries shall be the only state agency which may apply for such funds through the unanticipated receipts process.

(4) \$10,000 of the general fund appropriation—state may be utilized in a pilot project in cooperation with the office of the superintendent of public instruction in the establishment of a fisheries resource education program in local school districts. Such funds are to be matched, by school districts participating, on a one to one basis from private or local resources.

**NEW SECTION. Sec. 177. FOR THE DEPARTMENT OF GAME**

General Fund Appropriation .....	\$	36,000
General Fund—Outdoor Recreation Account Appropriation .....	\$	220,759
Game Fund Appropriation—State .....	\$	16,922,465
Game Fund Appropriation—Federal .....	\$	4,210,000
Game Fund Appropriation—Local .....	\$	550,000
Total Appropriation .....	\$	21,939,224

The appropriations contained in this section shall be subject to the following condition or limitation: Not less than \$3,218,668 from the game fund appropriation—state, \$1,650,000 from the game fund appropriation—federal, and \$400,000 from the game fund appropriation—local shall be expended on fish management and fish production.

**NEW SECTION. Sec. 178. FOR THE FOREST PRACTICES APPEALS BOARD**

General Fund Appropriation .....	\$	223,005
Total Appropriation .....	\$	223,005

**NEW SECTION. Sec. 179. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State .....	\$	12,412,273
General Fund Appropriation—Federal .....	\$	653,035
General Fund—General Contingency Forest Fire Suppression Account Appropriation .....	\$	1,000,000
General Fund—Landowners Forest Fire Suppression Account Appropriation .....	\$	1,000,000
General Fund—Resource Management Cost Account Appropriation .....	\$	29,197,685
General Fund—Forest Development Account Appropriation .....	\$	5,075,390
State Timber Reserve Fund Appropriation .....	\$	1,894,650
General Fund—Outdoor Recreation Account Appropriation .....	\$	1,840,539
Total Appropriation .....	\$	53,073,572

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,000,000 of the state general fund appropriation is for emergency fire suppression costs and shall be allocated and transferred to the general contingency forest fire suppression account only as such funds are actually needed for the purpose of paying emergency fire suppression costs.

(2) \$100,000 of the general fund appropriation—state and \$25,000 of the resource management account appropriation shall be expended by the department in a program directed toward the eradication of the star thistle weed (*centaurea solstitialis*) on lands managed by the department. The department shall provide a one-third state share for problem areas adjacent to such lands which are privately owned if participating counties and individual landowners provide their equal one-third shares.

(3) \$483,872 of the general fund—resource management account appropriation and \$44,908 of the general fund—forest development account appropriation may be expended only if chapter ..., Laws of 1975 ex. sess. (HB 971 or a similar measure) is not enacted into law. Expenditures of such funds shall be for payment of leasehold excise taxes by the department.

(4) \$200,000 of the general fund—resource management account appropriation shall be expended for payment by the department of past due in-lieu excise tax payments.

(5) \$593,035 from the general fund appropriation—federal shall be expended for the job opportunities program to stimulate or expand job creating activities in areas that are suffering from high unemployment.

**NEW SECTION. Sec. 180. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State .....	\$	5,230,611
General Fund Appropriation—Federal .....	\$	140,556
General Fund—Commercial Feed Account Appropriation .....	\$	226,420
General Fund—Egg Inspection Account Appropriation .....	\$	306,054
General Fund—Feed and Fertilizer Account Appropriation .....	\$	12,972
General Fund—Fertilizer, Agricultural, Mineral and Lime Account Appropria- tion .....	\$	217,736
General Fund—Nursery Inspection Account Appropriation .....	\$	199,251
General Fund—Seed Account Appropriation .....	\$	585,610
General Fund—Special Grass Seed Burning Account Appropriation .....	\$	85,000
Grain and Hay Inspection Fund Appropriation .....	\$	4,928,226
Total Appropriation .....	\$	11,932,436

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$272,336 of the state general fund appropriation shall be expended by the department for its one-third share for completion of the special program in conjunction with the noxious weed control boards of

the several counties directed towards the eradication of the noxious weed tansy. Continued state expenditures are conditioned on the continuation of payment of an equal one-third share by participating county noxious weed control boards and individual landowners. No county noxious weed control board or individual land owner shall be eligible for the state's one-third share unless such board or landowner has developed a range management program approved by the department in cooperation with the appropriate local or other agency responsible for said conservation. \$67,596 of the \$272,336 shall be expended in cooperation with Washington State University for research into the poisonous properties of tansy ragwort (*Senecio-Jacobaea*). \$37,740 of the \$272,336 shall be expended to support a noxious weed coordinator for the duration of the special program.

(2) The grass seed burning account appropriation shall be expended for research at Washington State University in alternative methods of burning grasses grown for commercial seed production.

(3) Not more than \$27,500 from the state general fund appropriation shall be expended for the continuation of the wetlands survey being conducted by the Water Research Center at Washington State University.

**NEW SECTION. Sec. 181. FOR THE TRAFFIC SAFETY COMMISSION**

Highway Safety Fund Appropriation .....	\$	4,077,374
Total Appropriation .....	\$	4,077,374

**NEW SECTION. Sec. 182. FOR THE STATE PATROL**

General Fund Appropriation—State .....	\$	4,996,541
General Fund Appropriation—Federal .....	\$	1,892,737
Motor Vehicle Fund Appropriation .....	\$	48,773,702
Total Appropriation .....	\$	55,662,980

**NEW SECTION. Sec. 183. FOR THE VEHICLE EQUIPMENT SAFETY COMMISSION**

Motor Vehicle Fund Appropriation .....	\$	6,500
Total Appropriation .....	\$	6,500

**NEW SECTION. Sec. 184. FOR THE DEPARTMENT OF MOTOR VEHICLES**

General Fund Appropriation .....	\$	3,758,459
General Fund—Architect's License Account Appropriation .....	\$	84,046
General Fund—Commercial Automobile Driver Training School Account Appropriation .....	\$	2,522
General Fund—Optician's Account Appropriation .....	\$	3,641
General Fund—Optometry Account Appropriation .....	\$	22,324
General Fund—Professional Engineer's Account Appropriation .....	\$	234,895
General Fund—Real Estate Commission Account Appropriation .....	\$	1,708,136
General Fund—Sanitarian's Licensing Account Appropriation .....	\$	8,855
General Fund—Board of Psychological Examiners Account Appropriation .....	\$	15,885
Game Fund Appropriation .....	\$	104,744
Highway Safety Fund Appropriation .....	\$	16,187,284
Motor Vehicle Fund Appropriation .....	\$	12,812,439
Total Appropriation .....	\$	34,943,230

**NEW SECTION. Sec. 185. FOR THE AERONAUTICS COMMISSION**

General Fund—Search and Rescue Account Appropriation .....	\$	36,000
General Fund—Aeronautics Account Appropriation .....	\$	1,057,240
Total Appropriation .....	\$	1,093,240

**NEW SECTION. Sec. 186. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Motor Vehicle Fund Appropriation .....	\$	222,285
Total Appropriation .....	\$	222,285

The appropriation contained in this section shall be subject to the following condition or limitation: If Substitute Senate Bill No. 2713 is not enacted, \$79,915 shall lapse at the end of the biennium.

**NEW SECTION. Sec. 187. FOR THE STATE TREASURER—TRANSFERS**

Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the Utilities and Transportation Commission for the 1975-77 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291 .....	\$	575,000
General Fund—Investment Reserve Account Appropriation: For transfer to the General Fund on or before June 29, 1977, pursuant to chapter 50, Laws of 1969 .....	\$	10,700,000
State Treasurer's Service Fund Appropriation: For transfer to the General Fund on or before June 30, 1976 .....	\$	2,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the Department of Highways and the Washington State Patrol during the period July 1, 1975, through June 30, 1977 .....	\$	1,300,000
General Fund—State and Local Improvements Revolving Account—Public Recreation Facilities Appropriation: For transfer to the General Fund—		

Outdoor Recreation Account on or before June 30, 1977, pursuant to the provisions of section 4(2), chapter 129, Laws of 1972 ex. sess. ....	\$	5,000.00.
General Fund—State and Local Improvements Revolving Account—Public Recreation Facilities Appropriation: For transfer to the General Fund—Outdoor Recreation Account on or before June 30, 1977, pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess. ....	\$	3,300.00
General Fund Appropriation: For transfer to the General Fund—Public Facilities Construction Loan and Grant Revolving Account on or before June 30, 1977 as required to meet obligations: PROVIDED, That notwithstanding the provisions of chapter 43.31A RCW, this appropriation shall be allocated to the Planning and Community Affairs Agency to be used exclusively for continuation of the Indian Economic and Employment Assistance Program for projects requested by reservation tribes through the Program Administrator .....	\$	1,568,691

**NEW SECTION. Sec. 188. FOR BELATED CLAIMS, SUNDRY CLAIMS, ELECTION COSTS, AND CRIMINAL COSTS**

The following sums, or so much thereof as shall severally be found necessary are hereby appropriated and authorized to be expended out of the several funds indicated, for the period from the effective date of this act to June 30, 1975, except as otherwise noted.

**BELATED CLAIMS**

To reimburse the General Fund for Expenditures from Appropriation for Belated Claims to be disbursed on vouchers approved by the State Auditor:

General Fund—Commercial Feed Account Appropriation .....	\$	46.24
General Fund—Commission Merchants Account Appropriation .....	\$	40.32
General Fund—Contingency Forest Fire Suppression Account Appropriation .....	\$	648.49
General Fund—Egg Inspection Account Appropriation .....	\$	143.53
General Fund—Electrical License Account Appropriation .....	\$	551.08
General Fund—Feed and Fertilizer Account Appropriation .....	\$	.30
General Fund—Fertilizer, Agricultural Mineral and Lime Account Appropriation .....	\$	31.08
General Fund—Real Estate Commission Account Appropriation .....	\$	887.15
General Fund—Seed Account Appropriation .....	\$	73.95
General Fund—Capitol Building Construction Account Appropriation .....	\$	2,712.00
General Fund—Aeronautics Account Appropriation .....	\$	50.70
General Fund—Resource Management Cost Account Appropriation .....	\$	3,617.10
General Fund—Seattle Armory Account Appropriation .....	\$	461.77
General Fund—Traffic Safety Education Account Appropriation .....	\$	16.57
General Fund—Outdoor Recreation Account Appropriation .....	\$	5,363.93
Game Fund Appropriation .....	\$	3,341.04
Grain and Hay Inspection Fund Appropriation .....	\$	1,512.08
Highway Safety Fund Appropriation .....	\$	2,182.53
Motor Vehicle Fund Appropriation .....	\$	39,645.25
Public Service Revolving Fund Appropriation .....	\$	3,116.42
Administrative Contingency Fund Appropriation .....	\$	298.32
Agricultural Local Fund Accounts Fund Appropriation .....	\$	1,391.17
Horticultural Districts Fund Appropriation .....	\$	413.22
General Local Fund Appropriation .....	\$	156.60
Clarke-McNary Fund Appropriation .....	\$	1,681.16
General Administration Facilities and Services Revolving Fund Appropriation .....	\$	358.06
Liquor Board Revolving Fund Appropriation .....	\$	36.25
Retirement System Expense Fund Appropriation .....	\$	1,083.73
Accident Fund Appropriation .....	\$	1,181.51
Medical Aid Fund Appropriation .....	\$	654.48
Teachers' Retirement Fund Appropriation .....	\$	50.40
Total Appropriation .....	\$	71,746.43

**SUNDRY CLAIMS**

General Fund Appropriations for relief of various individuals, firms, and corporations for sundry reasons to be disbursed on vouchers approved by the State Auditor as follows:

(1) For restoration of funds from the Washington State Public Employees' Retirement System		
FRED R. BOHME .....	\$	418.74
GEORGIA ANN COMPTON .....	\$	248.61
VERA M. HARMA .....	\$	728.26
MARION M. FREITAG .....	\$	908.99
SIDNEY W. FUNDIN .....	\$	530.07
(2) Payment for transcribing statement of facts for appeals of indigents:		
VIVIAN E. ROBINSON—# 4855 .....	\$	76.50
NORENE CAMPBELL—# IIII-II .....	\$	67.50
KATRINA A. HAMMERICH—# 752375 .....	\$	838.00



IRENE GAY—# 709032 .....	\$	129.60
ELAINE E. URGUHART—# 5162 .....	\$	271.50
CATHERINE WILLIAMS—# 63120 .....	\$	35.15
VIVIAN E. ROBINSON—# 64427 .....	\$	483.00
(3) PARADISE SKI TOWS, INC., For refund of gas tax paid .....	\$	117.45
(4) MONTGOMERY, PURDUE, BLAKINSHIP, AND AUSTIN, For pay- ment of attorney fees in Washington State Supreme Court causes # 42570 and # 42571 .....	\$	15,676.00
(5) FRANCIS E. NELSON, Payment for destruction of residence by inmate at Rainier School: PROVIDED, That the state auditor is authorized and directed to draw up a separate warrant with voucher, such voucher to be presigned by Francis E. Nelson prior to release of the warrant, which voucher shall state: "The acceptance of this amount releases the state of Washington and all of its political subdivisions, and their agents, of further claims arising out of the destruction of the residence of the claimant by an inmate at Rainier School" .....	\$	18,500.00
(6) GARY F. BASS, For attorney fees and costs for representing Francis E. Nelson: PROVIDED, That the state auditor is authorized and directed to draw up a separate warrant with voucher, such voucher to be presigned by Gary F. Bass prior to the release of the warrant, which voucher shall state: "The acceptance of this amount relieves the state of Washington of any further claims by me for legal services on behalf of Francis E. Nelson and satisfies any claim for legal services I have against my client, Francis E. Nelson, for representing her in the case involving the destruction of resi- dence by an inmate of Rainier School" .....	\$	3,500.00
(7) WESTRADE, INC., Payment for refund of utility tax .....	\$	14,627.09
(8) DEPARTMENT OF EMPLOYMENT SECURITY, Refund of "Emergency Employment Act" funds .....	\$	17,001.76
(9) Payment for loss of personal property lost in armed robbery at liquor store: JOSEPH MATSUYAKI .....	\$	38.50
WILBUR WRIGHT .....	\$	38.00
IRVING R. SEVENSON .....	\$	32.00
(10) Payment for loss of personal tools stolen from Department of Highways Maintenance Shop: HERCHEL L. HAMNER .....	\$	382.48
ESTATE OF RICHARD F. PICKERING .....	\$	377.58
(11) INGRAM, LELASKO, AND GOODWIN, For payment of legal services for representing an indigent, # 1452-II .....	\$	1,019.90
(12) STANFORD RESEARCH INSTITUTE, For services rendered at Francis- Hadden Morgan Children's Center .....	\$	25,413.00
(13) CAWDREY AND VEMO, INC., For payment of judgment against the State of Washington, # 768324 .....	\$	175,000.00
(14) JOHN LOWRIE, For payment of judgment against the State of Washington, # 18000 .....	\$	371.00
(15) For payments to widows of policemen in lieu of pension: PROVIDED, That the state auditor is authorized and directed to establish such allocation arrangements so as to reduce, to the extent possi- ble, any ineligibility for public assistance that the recipient may be subject to as a result of this appropriation: PROVIDED FURTHER, That the state auditor shall not make an allocation to a recipient named herein if such recipient is deceased on or before the effective date of this act: ALICE KLOAK .....	\$	1,428.00
MRS. GEORGE HOODE .....	\$	1,678.00
CLAIRE TELLING .....	\$	2,000.00
JEAN RICHARDSON .....	\$	1,964.00
MRS. SIGNORA HALE .....	\$	1,357.00
PAT STOWE .....	\$	1,749.00
MARGARET PLAYFORD .....	\$	1,714.00
ELIZABETH DICKINSON .....	\$	1,178.00
SUZAN KENT .....	\$	1,035.00
ADA AASLAND .....	\$	1,357.00
MILDRED JORDAN (Now MRS. WM. KEHOE) .....	\$	2,000.00
MRS. GLADYS DUGGINS .....	\$	1,464.00
MRS. FAYE KEMPER .....	\$	1,392.00
JEANIE OVERHOLT .....	\$	1,357.00
ERMA E. BETTINGER .....	\$	2,000.00
MAUDE COX .....	\$	1,678.00
LEVA JOHNSON .....	\$	1,642.00
MYRTLE MANNING .....	\$	1,535.00
VIVIAN SEXSMITH .....	\$	1,607.00
FANNY WAGNER .....	\$	1,428.00

BERTHA SAVAGE .....	\$ 1,821.00
ALVETA JOHNSON .....	\$ 1,214.00
BETTY WARREN .....	\$ 1,892.00
VIOLET FARRAR .....	\$ 1,785.00
MARION OLMSTEAD .....	\$ 1,607.00
MARY LYONS .....	\$ 1,678.00
MARIE HERBST .....	\$ 1,821.00
MARY LUNDBERG .....	\$ 1,642.00
HELEN PENN .....	\$ 1,749.00
INA BERGLUND .....	\$ 1,464.00
GRACE JENSEN .....	\$ 1,749.00
FRANCES FINNEL .....	\$ 1,249.00
ESTHER SNYDER .....	\$ 1,428.00
HAZEL BOLEN .....	\$ 1,428.00
MAY COVELL .....	\$ 1,535.00
PAULINE RAMBO .....	\$ 1,464.00
EDNA OAKES .....	\$ 1,642.00
EVA ROBBINS .....	\$ 1,535.00
RUTH HOUSEHOLDER .....	\$ 1,249.00
GERTRUDE HALLSON .....	\$ 1,857.00
RUTH BIGHAM .....	\$ 1,785.00
ADELSA DOPH .....	\$ 1,607.00
JANETTE CASE .....	\$ 1,607.00
LELA HINTON .....	\$ 1,284.00
ALICE JORDAN .....	\$ 1,214.00
MILDRED KENNEDY .....	\$ 1,607.00
ROSA MARCY .....	\$ 2,000.00

## PUBLIC ASSISTANCE BELATED CLAIMS

General Fund Appropriation to the department of social and health services for various vendors in full settlement of services rendered to welfare patients to be paid at the rate of fifty percent of each late billing received for services rendered, on vouchers approved by the department of social and health services .....	\$ 401,417.00
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## CRIMINAL COST BILLS

General Fund Appropriation reimbursing counties for various cost bills in felony cases to be disbursed on vouchers approved by the state auditor:

TREASURER, CLARK COUNTY .....	\$ 19.90
TREASURER, GRANT COUNTY .....	\$ 123.40
TREASURER, KING COUNTY .....	\$ 18,255.05
TREASURER, KITSAP COUNTY .....	\$ 1,779.80
TREASURER, OKANOGAN COUNTY .....	\$ 3,446.00
TREASURER, PIERCE COUNTY .....	\$ 1,479.00
TREASURER, SNOHOMISH COUNTY .....	\$ 1,028.70
TREASURER, SPOKANE COUNTY .....	\$ 449.60
TREASURER, WALLA WALLA COUNTY .....	\$ 682.90
TREASURER, WHATCOM COUNTY .....	\$ 176.50
TREASURER, WHITMAN COUNTY .....	\$ 677.30
TREASURER, YAKIMA COUNTY .....	\$ 800.20

## ELECTION COSTS

General Fund Appropriation reimbursing counties for the state's share of election costs:

ADAMS COUNTY .....	\$ 3,129.64
ASOTIN COUNTY .....	\$ 2,564.43
BENTON COUNTY .....	\$ 4,993.27
CHELAN COUNTY .....	\$ 7,554.96
CLALLAM COUNTY .....	\$ 4,501.38
CLARK COUNTY .....	\$ 13,700.39
COLUMBIA COUNTY .....	\$ 671.40
COWLITZ COUNTY .....	\$ 8,180.41
DOUGLAS COUNTY .....	\$ 3,175.00
FERRY COUNTY .....	\$ 2,165.45
FRANKLIN COUNTY .....	\$ 1,531.96
GARFIELD COUNTY .....	\$ 776.68
GRANT COUNTY .....	\$ 5,817.58
GRAYS HARBOR COUNTY .....	\$ 5,976.53
ISLAND COUNTY .....	\$ 4,980.01
JEFFERSON COUNTY .....	\$ 2,023.83
KING COUNTY .....	\$ 96,872.20
KITSAP COUNTY .....	\$ 7,729.22

KITTITAS COUNTY .....	\$ 4,585.08
KLICKITAT COUNTY .....	\$ 2,828.19
LEWIS COUNTY .....	\$ 4,792.43
LINCOLN COUNTY .....	\$ 1,673.26
MASON COUNTY .....	\$ 3,216.75
OKANOGAN COUNTY .....	\$ 4,571.08
PACIFIC COUNTY .....	\$ 4,996.39
PEND OREILLE COUNTY .....	\$ 1,115.07
PIERCE COUNTY .....	\$ 19,979.18
SAN JUAN COUNTY .....	\$ 1,357.00
SKAGIT COUNTY .....	\$ 5,703.13
SKAMANIA COUNTY .....	\$ 684.39
SNOHOMISH COUNTY .....	\$ 11,351.20
SPOKANE COUNTY .....	\$ 29,500.93
STEVENS COUNTY .....	\$ 1,538.38
THURSTON COUNTY .....	\$ 10,359.95
WAHKIAKUM COUNTY .....	\$ 1,489.60
WALLA WALLA COUNTY .....	\$ 5,844.55
WHATCOM COUNTY .....	\$ 9,795.78
WHITMAN COUNTY .....	\$ 7,750.82
YAKIMA COUNTY .....	\$ 13,580.15

**NEW SECTION.** Sec. 189. In accordance with the provisions of this section the office of program planning and fiscal management shall use the allotment process during the 1975-77 biennium to control the funding of the formula portion of the instruction and departmental research programs of all the four year institutions of higher education and the community colleges. For the purpose of the controls outlined in this section, deviations in the formula entitlements for faculty staffing shall be the controlling factor. For the purpose of this section, the "contract level" is defined as the formula entitlement level upon which the budget is based, and the "base level" is defined as the formula entitlement level corresponding to the prior year's contract or actual enrollment level, whichever is lower. Controls shall be applied to each four year institution separately and to the community college education system as a total entity. "Growth funding" is defined as that portion of the appropriation by which the contract level exceeds the base level. All growth funds shall be reserved at the time of annual allotments. Such reserves shall be released only to the extent that the contract level is achieved, based upon the office of program planning and fiscal management's population studies section projections of full year enrollments from actual enrollments on the tenth day of the fall term. Growth funding not so released shall lapse at the end of a fiscal year. In any case where actual formula faculty entitlement, as computed from full year enrollments in spring, exceeds the contract level by more than one and one-half percent, appropriated funds equal in amount to the student operating fees derived from such excess enrollment shall be withheld during the same or subsequent year and shall revert to the state general fund following the close of the 1975-1977 biennium.

**NEW SECTION.** Sec. 190. All or any portion of the funds provided in sections 150 through 165 of this act for allocation to school districts shall be withheld by the superintendent of public instruction from any school district which expends moneys in excess of such districts certified budget or budget extensions thereto as filed with the office of the superintendent of public instruction and the state board of education.

**NEW SECTION.** Sec. 191. Every state agency other than institutions of higher education, common school or intermediate school districts, and the legislature, shall have withheld from the allotments or series of allotments to be made to such agencies by the office of program planning and fiscal management during the fiscal year 1977 an amount of money equal to not less than three percent of the funds available for expenditure by each such agency for full time equivalent staff years from the appropriations contained in this act.

**NEW SECTION.** Sec. 192. Any state agency which receives funds pursuant to the provisions of this act and utilizes any portion of such funds for grants to local public bodies shall not withhold consideration of potential grant projects for local public bodies located within the Trident impact area merely on the basis that federal funds for the same or similar services and/or projects are or will be available at the present time or at some future date.

**NEW SECTION.** Sec. 193. It is the expressed intention of the legislature that agency operational activity will be regularly monitored by the office of program planning and fiscal management, under their statutory authority relating to the allotment control function, in order to limit fluctuations in biennial spending patterns which tend to inflate the final current level base. Particular control emphasis will be placed on those instances in which biennial full time equivalent employment authorization is deliberately delayed in order to increase the agency position count as substantiation for the ensuing biennial request. Unanticipated receipts, which are authorized and expended by any state agency, shall not be used as the basis for expansion of current level full time equivalents, as it relates to legislative appropriations made prior to such authorization, unless definite assurance is made of continuation of funds from the specific source involved.

**NEW SECTION.** Sec. 194. The word "agency" used in this act, unless the context requires otherwise, means and includes every state government office, officer, each institution, whether educational, correctional, or other, and every department, division, board, and commission, except as otherwise provided in this act.

The phrase "agencies headed by elective officials" used herein shall mean those executive offices or departments of the state which are directly supervised, administered, or controlled by the governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, or insurance commissioner, but it shall not include those boards, commissions, or committees on which one or more of the above-mentioned officials serve.

**NEW SECTION.** Sec. 195. In order to carry out the provisions of these appropriations and the state budget, the director of the Office of Program Planning and Fiscal Management with the approval of the governor, may:

(1) Allot all of any portion of the funds herein appropriated or included in the state budget, to the various agencies by such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment: **PROVIDED**, That the director of the office of program planning and fiscal management shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following: Washington State Apple Advertising Commission; Washington State Fruit Commission; Washington Dairy Products Commission or any agricultural commodity commission created under the provisions of chapter 15.66 RCW; the legislative branch of state government including the legislative budget committee, the statute law committee, and any legislative committee; or the judicial branch of state government: **PROVIDED FURTHER**, That the aggregate of allotments for any agency shall not exceed the total of applicable appropriations and local funds available to the agency concerned. It shall be unlawful for any officer or employee to incur obligations in excess of approved allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revisions of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1975; for the sole purpose of authorizing agencies to order goods, supplies, or services for delivery after July 1, 1975: **PROVIDED**, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1975.

**NEW SECTION.** Sec. 196. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget, or in the appropriations enacted by the legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources.

**NEW SECTION.** Sec. 197. In the event that receipts shall be less than those estimated in the budget from any source expenditures shall be limited to the amount received and allotments made as provided in section 192 of this act. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

**NEW SECTION.** Sec. 198. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

**NEW SECTION.** Sec. 199. Agencies are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

**NEW SECTION.** Sec. 200. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the director of the office of program planning and fiscal management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriation shall be necessary to effect such repayment.

**NEW SECTION.** Sec. 201. In addition to the amounts appropriated in this act for revenue for distribution, excluding those funds appropriated for urban mass transit assistance, and bond retirement and interest, and interest on registered warrants, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

**NEW SECTION.** Sec. 202. Amounts received by an agency as reimbursements pursuant to RCW 43.09.210 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office of program planning and fiscal management which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

**NEW SECTION.** Sec. 203. In order to obtain maximum interagency use of aircraft, the Aeronautics Commission, in accordance with RCW 43.09.210 and chapter 39.34 RCW is hereby authorized to lease,

purchase or otherwise acquire suitable aircraft which shall be utilized for the purposes of the Aeronautics Commission and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: PROVIDED, That the Aeronautics Commission is further authorized to enter into contractual agreements with other state agencies in order to acquire aircraft, establish rental rates for aircraft under their control, provide pilot services, aircraft maintenance and make such other provisions as necessary to provide aircraft and related services for multi-agency use: PROVIDED FURTHER, That in order to achieve economy in the use of the appropriations contained within this act no state agency may purchase or otherwise acquire an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Aeronautics Commission and without prior approval of the director of the office of program planning and fiscal management.

**NEW SECTION.** Sec. 204. Except as otherwise provided in this act, any receipts from federal or other sources or from gifts or grants in excess of those estimated in the budget may be received and allotted by the governor. In the event that receipts shall be less than those estimated in the budget from any source the appropriation shall be limited to the amount received and allotments made as provided in section 195 of this act. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or the legislature shall be used to support regular programs instead of using appropriated funds.

**NEW SECTION.** Sec. 205. (1) From the amount appropriated to the house of representatives for the expenses and costs of the legislature by section 2, chapter 16, Laws of 1975 1st ex. sess., the house of representatives shall reimburse the speaker for not more than one hundred days, in lieu of per diem at the rate of forty dollars per day for each day or major portion thereof in which he is actually engaged in completing the work of the forty-fourth legislature and is completing his duties as speaker during the interim period until the convening of the next regular session of the legislature.

(2) From the amounts appropriated to the senate and the house of representatives for the expenses and costs of the legislature by section 2, chapter 16, Laws of 1975 1st ex. sess., the senate and house of representatives respectively shall reimburse their members in quarterly amounts of not to exceed one hundred fifty dollars upon presentation of vouchers by a member claiming reimbursement for interim expenses and certified by him that his expenses for such three month period were equal to or in excess of one hundred fifty dollars.

**NEW SECTION.** Sec. 206. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 207. This 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."

On page 1, line 4 of the title after "1977;" and before "designating" insert "making other appropriations;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Bagnariol, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 866, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Bagnariol, Shinpoch and Polk as conferees on Engrossed Substitute House Bill No. 866.

The Speaker appointed Representatives Clemente, Bauer and Kuehnle as conferees on Engrossed House Bill No. 173.

The Speaker appointed Representatives Sommers, Conner and Newhouse as conferees on Engrossed Substitute Senate Joint Resolution No. 127.

#### MESSAGE FROM THE GOVERNOR

May 27, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one section SUBSTITUTE HOUSE BILL NO. 409, entitled:

"AN ACT Relating to electricians and electrical installations."

The purpose of the bill is to empower the board of electrical examiners to establish, in addition to a general electrical contractors' license, other classifications of specialty licenses,

and to administer written examinations for general and specialty electrical contractors' qualifying certificates.

Section 1 of the bill contains a grandfather clause providing that any person licensed as an electrical contractor during 1974 will be entitled to receive a general electrical contractor license. As a first matter, I do not believe a grandfather clause serves either the best interest of the industry or the public. The grandfather clause should not be necessary where different classes of examinations are to be administered to take into account those electrical contractors who may only be skilled in certain specialties. Second, I believe it is extremely unwise to grant, by the grandfather clause, a general electrical contractor's license to all those presently licensed regardless of whether they may be qualified to perform general electrical contracting work.

It is my belief and intent that a veto of section 1 will still leave the board of electrical examiners with sufficient flexibility to establish examinations in both general and specialty areas which take into account an applicant's past experience as a licensed electrical contractor under previous law so that qualified practitioners are not unfairly barred from their lifetime profession.

For the foregoing reasons, I have determined to veto section 1. With the sole exception of that section, I have approved the remainder of Substitute House Bill No. 409.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

#### MOTION

Mr. Hansen moved that the House do pass section 1 of Substitute House Bill No. 409 notwithstanding the Governor's veto.

Representatives Hansen, Deccio and Kuehnle spoke in favor of the motion, and Representatives Dunlap and Barnes spoke against it.

Mr. Ceccarelli demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to pass section 1 of Substitute House Bill No. 409 notwithstanding the Governor's veto, and the bill passed the House by the following vote: Yeas, 79; nays, 7; not voting, 12.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Berentson, Boldt, Ceccarelli, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Brown, Chandler, Dunlap, Jueling, Lee, Peterson.

Not voting: Representatives Amen, Becker, Blair, Bond, Charette, Curtis, Hayner, Lysen, May, Newhouse, Randall, Valle.

Section 1 of Substitute House Bill No. 409 notwithstanding the Governor's veto, having received the constitutional majority was declared passed.

#### MESSAGE FROM THE GOVERNOR

May 15, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning without my approval SUBSTITUTE HOUSE BILL NO. 249 entitled:  
"AN ACT Relating to motor vehicles."

This bill makes certain changes in the laws relating to tonnage fees, and allows tonnage permits in addition to regular license fees to be paid quarterly, if the additional tonnage is over six thousand pounds.

The matter of truck weights and truck weight fees has been the subject of a comprehensive study by the Legislative Transportation Committee. The ultimate aim of such study is to devise an equitable system of transportation fees. The passage of this bill before completion and implementation of the study is premature and unwise, and the piecemeal approach will

likely require further corrective action by the Legislature after the results of the study are known.

Moreover, the fiscal impact of the bill is a loss of approximately \$270,000 over the next biennium in addition to requiring increased expenditures by the Department of Highways. Given the very difficult financial state of the Department, enactment of this bill is even more untimely at this moment.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 249.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

#### MOTION

Mr. Hansen moved that Substitute House Bill No. 249 do pass notwithstanding the Governor's veto.

Mr. Hansen spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to pass Substitute House Bill No. 249 notwithstanding the Governor's veto, and the bill passed the House by the following vote: Yeas, 61; nays, 25; not voting, 12.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bender, Berentson, Boldt, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Conner, Deccio, Douthwaite, Ehlers, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Hanna, Hansen, Hansey, Haussler, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Nelson, North, O'Brien, Paris, Parker, Patterson, Perry, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Thompson, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Bausch, Brown, Cochrane, Dunlap, Eikenberry, Erickson, Gaspard, Greengo, Haley, Hawkins, Hendricks, Jueling, Leckenby, Lee, Pardini, Peterson, Polk, Smith R., Sommers, Tilly, Warnke, Williams, Wojahn, Zimmerman.

Not voting: Representatives Amen, Becker, Blair, Bond, Charette, Curtis, Hayner, Lysen, May, Newhouse, Randall, Valle.

Substitute House Bill No. 249 notwithstanding the Governor's veto, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE GOVERNOR

May 15, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval HOUSE BILL NO. 357, entitled:  
"AN ACT Relating to motor vehicles."

This bill permits certain combinations of dump trucks to purchase monthly gross weight licenses. The bill has a negative fiscal impact of approximately \$150,000 for the biennium.

On this same date I have vetoed Substitute House Bill No. 249 relating to changes in the laws on tonnage fees. In my veto message attached to that bill I stated that it is premature and unwise to pass legislation amending the laws on truck weights and fees while there is pending a comprehensive study by the Legislative Transportation Committee in the area of equitable transportation fees. The loss of revenue to the Department of Highways made that bill even more difficult to justify in light of the current financial problems the Department is encountering.

The same reasoning is applicable to this bill. I urge the Legislature to forego the piecemeal approach to this problem and wait instead for the study to be completed and enact at that time the necessary changes to bring about equity in the area of transportation fees.

For these reasons I have determined to veto House Bill No. 357.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

#### MOTION

Mr. Hansen moved that the House do pass House Bill No. 357 notwithstanding the Governor's veto.

Mr. Hansen spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Hansen yielded to question by Mr. Pardini.

Mr. Pardini: "Am I correct, House Bill No. 249, on which we just overrode a veto, changed the license fee from an annual basis to a quarterly basis, and am I also correct in saying that in House Bill No. 357 those licenses are on a quarterly basis and they are to be reduced to a monthly basis?"

Mr. Hansen: "No, absolutely not. Not the license fee, the tonnage fee. If you are buying excess tonnage on your vehicle, the bill we just overrode would allow a seasonal operator to buy excess tonnage for the months that he was running excess tonnage."

Mr. Pardini: "For the months, or for the quarters?"

Mr. Hansen: "For a quarter on the seasonals, and the dump trucks are on a monthly basis. They pay their excise tax, they buy their licenses, but on their overload permits this would allow them to buy them monthly, the same as the logging trucks, because it is seasonal work and it allows dump truck owners the same privilege as loggers to pay for their tonnage the months they are doing the work."

Mr. Conner spoke in favor of the motion, and Mr. Pardini spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to pass House Bill No. 357 notwithstanding the Governor's veto, and the bill failed to receive the necessary two-thirds majority by the following vote: Yeas, 50; nays, 35; not voting, 13.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bender, Boldt, Ceccarelli, Chatalas, Clemente, Conner, Deccio, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Hanna, Hansen, Haussler, Hurley G. S., Hurley M., Jastad, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Martinis, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Thompson, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Bausch, Berentson, Brown, Chandler, Charnley, Cochran, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Greengo, Haley, Hansey, Hawkins, Hendricks, Juelling, Leckenby, Lee, Matthews, Maxie, Nelson, Pardini, Peterson, Polk, Smith R., Sommers, Tilly, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Not voting: Representatives Amen, Becker, Blair, Bond, Charette, Curtis, Gaspard, Hayner, Lysen, May, Newhouse, Randall, Valle.

Having failed to receive the constitutional two-thirds majority, House Bill No. 357 was declared lost.

## MOTION

On motion of Mr. Thompson, the House adjourned until 10:00 a.m., Monday, June 2, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## EIGHTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, June 2, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Blair, Curtis, Flanagan, Kilbury, Kuehnle, May, Nelson, Randall, Valle, Whiteside and Zimmerman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Patricia Drost and Dave Boudin. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MESSAGES FROM THE SENATE

May 31, 1975

Mr. Speaker:

The Senate has failed to pass SUBSTITUTE HOUSE BILL NO. 975 as amended by the Senate, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 30, 1975

Mr. Speaker:

The Senate has receded from its amendment to SUBSTITUTE HOUSE BILL NO. 762, and has passed the bill without the Senate amendment, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 30, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2501, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 30, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 2937, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 30, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2159, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 30, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2292, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 31, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2159,  
SENATE BILL NO. 2292,  
SENATE BILL NO. 2501,  
SENATE BILL NO. 2862,  
SUBSTITUTE SENATE BILL NO. 2937,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 30, 1975

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 162,  
SUBSTITUTE HOUSE BILL NO. 428,  
ENGROSSED HOUSE BILL NO. 437,  
HOUSE BILL NO. 1051,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 31, 1975

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 294,  
ENGROSSED HOUSE BILL NO. 354,  
HOUSE BILL NO. 383,  
ENGROSSED 2ND SUBSTITUTE HOUSE BILL NO. 720,  
ENGROSSED HOUSE BILL NO. 825,  
ENGROSSED HOUSE BILL NO. 1035,  
HOUSE JOINT MEMORIAL NO. 4,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

SENATE AMENDMENTS TO HOUSE BILL

May 28, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 49 with the following amendments:

In line 10 of the title after "71.05.210;" insert "amending section 7, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.020;"

On page 2, line 1 of the engrossed bill, being page 2, line 1 of the printed bill, before "Section 1." insert a new section as follows:

"Section 1. Section 7, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.020 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Gravely disabled' means a condition in which a person, as a result of a mental disorder is in danger of serious physical harm resulting from a failure to provide for his essential human needs; or in which as a result of a mental disorder a person's judgment is so impaired that he is incapable of realizing, and making a rational decision with respect to, the need for essential care and presents a likelihood of serious harm to himself, or any other person, or to property; (2) 'Mental disorder' means any organic, mental, or emotional impairment which has substantial adverse effects on an individual's cognitive or volitional functions;

~~((3) 'Likelihood of serious harm' means either (a) a substantial risk that physical harm will be inflicted by an individual upon his own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on one's self, or (b) a substantial risk that physical harm will be inflicted by an individual upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm;))~~

(3) 'Likelihood of serious harm' means either (a) a substantial risk that physical harm will be inflicted by an individual upon his own person, or (b) a substantial risk that physical harm will be inflicted by an individual upon another;

(4) 'Peace officer' means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(5) 'Judicial commitment' means a commitment by a court pursuant to the provisions of this chapter;

(6) 'Public agency' means any evaluation and treatment facility of, or operated directly by, federal, state, county, or municipal government, or a combination of such governments;

(7) 'Private agency' means any person, partnership, corporation, or association not defined as a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility;

(8) 'Attending staff' means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(9) 'Department' means the department of social and health services of the state of Washington;

(10) 'Secretary' means the secretary of the department of social and health services, or his designee;

(11) 'Mental health professional' means a psychiatrist, psychologist, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules and regulations adopted by the secretary pursuant to the provisions of this chapter;

(12) 'Professional person' shall mean a mental health professional, as above defined, and shall also mean a physician, registered nurse, and such others as may be defined by rules and regulations adopted by the secretary pursuant to the provisions of this chapter;

(13) 'Psychiatrist' means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association;

(14) 'Psychologist' means a person with an earned graduate degree in psychology or a graduate degree deemed its equivalent under rules and regulations adopted by the secretary or who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(15) 'Social worker' means a person with a master's or further advanced degree from an accredited school of social work or a degree from a graduate school deemed equivalent under rules and regulations adopted by the secretary;

(16) 'Evaluation and treatment facility' means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and short term inpatient care to persons suffering from a mental disorder, and which is certified as such by the department of social and health services: PROVIDED, That a physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility: PROVIDED FURTHER, That a facility which is part of, or operated by, the department of social and health services or any federal agency will not require certification: AND PROVIDED FURTHER, That no correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter ((?));

(17) 'Threaten' means to indicate by words, orally or in writing, or conduct, the intent to accomplish a result."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Adams moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 49, and ask the Senate to recede therefrom.

Representatives Adams, Tilly and Parker spoke in favor of the motion, and Representative Eikenberry spoke against it.

The motion was carried.

#### MESSAGE FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate adheres to its position regarding the Senate amendment to SUBSTITUTE HOUSE BILL NO. 693, and asks the House to concur therewith, and said bill, together with the Senate amendment thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mrs. North, the House again refused to concur in the Senate amendment to Substitute House Bill No. 693, and asked the Senate for a conference thereon.

#### MESSAGE FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 675, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

May 26, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 675, regulating the receipt of unanticipated funds, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill to read as follows:

Strike all material after the enacting clause and insert the following:

"Section 1. Section 43.09.310, chapter 8, Laws of 1965 as amended by section 2, chapter 170, Laws of 1971 ex. sess. and RCW 43.09.310 are each amended to read as follows:

The state auditor, through the division of departmental audits, shall make a post-audit of every state department at such reasonable periodic intervals as he shall determine but in each case an audit shall be conducted every two years. A report shall be made of each post-audit upon completion thereof, (~~shall be made in sextuplet;~~) and one copy shall be transmitted to the governor, one to the director of the office of program planning and fiscal management, one to the attorney general, one to the state department audited, one to the legislative budget committee, one each to the standing committees on ways and means of the house and senate, one to the chief clerk of the house, one to the secretary of the senate, and at least one shall be kept on file in the office of the state auditor.

Sec. 2. Section 43.62.050, chapter 8, Laws of 1965 and RCW 43.62.050 are each amended to read as follows:

The board shall develop and maintain student enrollment forecasts of Washington schools, including both public and private, elementary schools, junior high schools, high schools, colleges and universities. The board shall submit reports on such forecasts to the governor (~~and to~~), the legislative budget committee, and the standing committees on ways and means of the house and the senate on or before the fifteenth day of November of each even-numbered year.

Sec. 3. Section 43.79.270, chapter 8, Laws of 1965 as amended by section 2, chapter 144, Laws of 1973 and RCW 43.79.270 are each amended to read as follows:

(1) Whenever any money, from the federal government, or from other sources, is expected to be available for expenditure and which was not anticipated in the budget approved by the legislature (~~has actually been received~~) and is designated to be spent for a specific purpose, the head of any department, agency, board, or commission through which such expenditure shall be made is to submit to the governor a statement (~~which may be in the form of a request for an allotment amendment~~) setting forth the facts constituting the need for such expenditure and the estimated amount to be expended (~~PROVIDED, That no expenditure shall be made in excess of the actual amount received, and no money shall be expended for any purpose except the specific purpose for which it was received~~). A copy of any proposal submitted to the governor to expend money (~~from an appropriated fund or account in excess of appropriations provided by law~~) which is based on the receipt of unanticipated revenues shall be submitted to the legislative budget committee and (~~also~~) to the standing committees on ways and means of the house and senate (~~if the legislature is in session~~) at the same time as it is transmitted to the governor.

(2) If the governor approves such estimate in whole or in part, he shall endorse on each copy of the statement his approval, together with a statement of the amount recommended for expenditure, and transmit one copy to the legislative budget committee. The committee staff shall compile such expenditure recommendations and periodically submit them for legislative consideration and disposition as set forth in section 12 of this 1975 amendatory act. The committee staff shall also prepare and submit appropriate recommendations as to legislative disposition on each proposal for additional spending recommended by the governor pursuant to this section. The committee shall advise the office of program planning and fiscal management, the affected state agency, and the standing committees on ways and means of the house and senate of all actions on spending proposals recommended by the governor under the terms of this section.

NEW SECTION. Sec. 4. There is added to chapter 43.88 RCW a new section to read as follows:

(1) Federal funds available during a fiscal period which were not anticipated relative to appropriations enacted for that fiscal period shall be used in lieu of funds appropriated from state or local revenue sources wherever possible unless prohibited by federal law, rule, regulation, or other restriction. Exceptions to the fund substitution requirements imposed by this subsection may be granted by a favorable majority vote of the standing committees on ways and means of the house and senate while the legislature is in session or has not been in recess for three days or more. At other times, exceptions may be granted by action of the legislative budget committee.

(2) Unanticipated receipts other than those covered by subsection (1) of this section, available during a fiscal period which were not anticipated relative to appropriations enacted for that fiscal period may also be substituted for appropriated funds by direction of either the legislative budget committee or the standing committees on ways and means of the house and senate in the same manner as federal fund substitutions are handled under subsection (1) of this section.

Sec. 5. Section 43.88.090, chapter 8, Laws of 1965 as amended by section 6, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.090 are each amended to read as follows:

For purposes of developing his budget proposals to the legislature, the governor shall have the power, and it shall be his duty, to require from proper agency officials such detailed estimates and other information in such form and at such times as he shall direct. The estimates for the legislature and the judiciary

shall be transmitted to the governor and shall be included in the budget. Estimates for the legislature and for the supreme court shall be included in the budget without revision. Copies of all such estimates shall be transmitted to the ~~((legislative budget committee))~~ standing committees on ways and means of the house and senate at the same time as they are filed with the governor and the office of program planning and fiscal management. In the year of the gubernatorial election, the governor shall invite the governor-elect or his designee to attend all hearings provided in RCW 43.88.100; and the governor shall furnish the governor-elect or his designee with such information as will enable him to gain an understanding of the state's budget requirements. The governor-elect or his designee may ask such questions during the hearings and require such information as he deems necessary and may make recommendations in connection with any item of the budget which, with the governor-elect's reasons therefor, shall be presented to the legislature in writing with the budget document. Copies of all such estimates and other required information shall also be submitted to the ~~((legislative budget committee. The governor shall also invite the legislative budget committee to designate one or more persons to be present at all hearings provided in RCW 43.88.100. The designees of the legislative budget committee may also ask such questions during the hearings and require such information as they deem necessary))~~ standing committees on ways and means of the house and senate.

Sec. 6. Section 43.88.110, chapter 8, Laws of 1965 and RCW 43.88.110 are each amended to read as follows:

Subdivisions (1) and (2) of this section set forth the expenditure programs and the allotment and reserve procedures to be followed by the executive branch.

(1) Before the beginning of the fiscal period, all agencies shall submit to the governor a statement of proposed agency expenditures at such times and in such form as may be required by him. The statement of proposed expenditures shall show, among other things, the requested allotments of appropriations for the ensuing fiscal period for the agency concerned for such periods as may be determined by the budget director for the entire fiscal period. The governor shall review the requested allotments in the light of the agency's plan of work and, with the advice of the budget director, he may revise or alter agency allotments: PROVIDED, That revision of allotments shall not be made for ~~((the following:))~~ agencies headed by elective officials ~~((: University of Washington, Washington State University, Central Washington State College, Eastern Washington State College, and Western Washington State College))~~. The aggregate of the allotments for any agency shall not exceed the total of appropriations available to the agency concerned for the fiscal period.

(2) Except for agencies headed by elective officials, ~~((and for institutions for higher education, as provided in this section, the))~~ approved allotments may be revised during the course of the fiscal period in accordance with the regulations issued pursuant to this chapter. If at any time during the fiscal period the governor shall ascertain that available revenues for the applicable period will be less than the respective appropriations, he shall revise the allotments concerned so as to prevent the making of expenditures in excess of available revenues. To the same end, and with the exception stated in this section for allotments involving agencies headed by elective officials ~~((and for institutions for higher education))~~ the governor is authorized to withhold and to assign to, and to remove from, a reserve status any portion of an agency appropriation which in the governor's discretion is not needed for the allotment. No expenditures shall be made from any portion of an appropriation which has been assigned to a reserve status except as provided in this section.

(3) It is expressly provided that all agencies shall be required to maintain accounting records and to report thereon in the manner prescribed in this chapter and under the regulations issued pursuant to this chapter.

Sec. 7. Section 1, chapter 263, Laws of 1971 ex. sess. and RCW 43.88.115 are each amended to read as follows:

Either the legislative budget committee ~~((is))~~ or the standing committees on ways and means of the house and senate are authorized and may order reductions in general fund expenditures for other elected public officials and all public educational agencies and their facilities ~~((except institutions of higher learning))~~ up to the amount of reductions which are required by agencies under the control of the governor, to the end that while the independence of such elective offices and educational agencies ~~((except institutions of higher learning))~~ be assured, necessary measures of economy shall be shared by all agencies concerned with the functions of government.

Sec. 8. Section 43.88.160, chapter 8, Laws of 1965 as last amended by section 11, chapter 40, Laws of 1975 and RCW 43.88.160 are each amended to read as follows:

This section sets forth the major fiscal duties and responsibilities of officers and agencies of the executive branch. The regulations issued by the governor pursuant to this chapter shall provide for a comprehensive, orderly basis for fiscal management and control, including efficient accounting and reporting therefor, for the executive branch of the state government and may include, in addition, such requirements as will generally promote more efficient public management in the state.

(1) Governor; director of program planning and fiscal management. The governor, through his director of program planning and fiscal management, shall devise and supervise a modern and complete accounting system for each agency to the end that all revenues, expenditures, receipts, disbursements, resources and obligations of the state shall be properly and systematically accounted for. The accounting system shall include the development of accurate, timely records and reports of all financial affairs of the state. The system shall also provide for comprehensive central accounts in the office of program planning

and fiscal management. The director of program planning and fiscal management may require such financial, statistical and other reports as he deems necessary from all agencies covering any period.

In addition, the director of program planning and fiscal management, as agent of the governor, shall:

(a) Make surveys and analyses of agencies with the object of determining better methods and increased effectiveness in the use of manpower and materials; and he shall authorize expenditures for employee training to the end that the state may benefit from training facilities made available to state employees;

(b) Report to the governor with regard to duplication of effort or lack of coordination among agencies;

(c) Review any pay and classification plans, and changes thereunder, developed by any agency for their fiscal impact: PROVIDED, That none of the provisions of this subsection shall affect merit systems of personnel management now existing or hereafter established by statute relating to the fixing of qualifications requirements for recruitment, appointment, or promotion of employees of any agency. He shall advise and confer with agencies including ~~((the legislative budget committee and the legislative council))~~ appropriate standing committees of the legislature as may be designated by the speaker of the house and the president of the senate regarding the fiscal impact of such plans and may amend or alter said plans, except that for the following agencies no amendment or alteration of said plans may be made without the approval of the agency concerned: Agencies headed by elective officials(~~University of Washington; Washington State University; Central Washington State College; Eastern Washington State College; Western Washington State College; The Evergreen State College; new, four-year state colleges subsequently authorized; professional education employees of the state board for community college education; and the various state community colleges~~).

(d) Fix the number and classes of positions or authorized man years of employment for each agency and during the fiscal period amend the determinations previously fixed by him except that he shall not be empowered to fix said number or said classes for the following: Agencies headed by elective officials; ~~(University of Washington; Washington State University; Central Washington State College; Eastern Washington State College; Western Washington State College; The Evergreen State College; new, four-year state colleges subsequently authorized; professional education employees of the state board for community college education; and the various state community colleges;)~~

(e) Promulgate regulations to effectuate provisions contained in subsections (a) through (d) hereof.

(2) The treasurer shall:

(a) Receive, keep and disburse all public funds of the state not expressly required by law to be received, kept and disbursed by some other persons: PROVIDED, That this subsection shall not apply to those public funds of the institutions of higher learning which are not subject to appropriation;

(b) Disburse public funds under his supervision or custody by warrant or check;

(c) Keep a correct and current account of all moneys received and disbursed by him, classified by fund or account;

(d) Perform such other duties as may be required by law or by regulations issued pursuant to this law.

It shall be unlawful for the treasurer to issue any warrant or check for public funds in the treasury except upon forms duly prescribed by the director of program planning and fiscal management. Said forms shall provide for authentication and certification by the agency head or his designee that the services have been rendered or the materials have been furnished; or, in the case of payments for periodic maintenance services to be performed on state-owned equipment, that a written contract for such periodic maintenance services is currently in effect and copies thereof are on file with the office of program planning and fiscal management ~~((and the legislative budget committee))~~; and the treasurer shall not be liable under his surety bond for erroneous or improper payments so made: PROVIDED, That when services are lawfully paid for in advance of full performance by any private individual or business entity other than as provided for by RCW 42.24.035, such individual or entity other than central stores rendering such services shall make a cash deposit or furnish surety bond coverage to the state as shall be fixed in an amount by law, or if not fixed by law, then in such amounts as shall be fixed by the director of the department of general administration but in no case shall such required cash deposit or surety bond be less than an amount which will fully indemnify the state against any and all losses on account of breach of promise to fully perform such services: AND PROVIDED FURTHER, That no payments shall be made in advance for any equipment maintenance services to be performed more than three months after such payment. Any such bond so furnished shall be conditioned that the person, firm or corporation receiving the advance payment will apply it toward performance of the contract. The responsibility for recovery of erroneous or improper payments made under this section shall lie with the agency head or his designee in accordance with regulations issued pursuant to this chapter.

~~((The auditor's current post-audit of each agency may include a separate section setting forth recommendations to the legislature as provided by subsection (3)(c) of this section.))~~

(3) The state auditor shall:

(a) Report to the legislature the results of current post audits that have been made of the financial transactions of each agency; to this end he may, in his discretion, examine the books and accounts of any agency, official or employee charged with the receipt, custody or safekeeping of public funds. The current post audit of each agency may include a section on recommendations to the legislature as provided in subsection (3)(c) of this section.

(b) Give information to the legislature, whenever required, upon any subject relating to the financial affairs of the state.

(c) Make his official report on or before the thirty-first of December which precedes the meeting of the legislature. The report shall be for the last complete fiscal period and shall include at least the following:

Determinations as to whether agencies, in making expenditures, complied with the laws of this state: PROVIDED, That nothing in \*this act shall be construed to grant the state auditor the right to perform performance audits. A performance audit for the purpose of \*this act shall be the examination of the effectiveness of the administration, its efficiency and its adequacy in terms of the programs of departments or agencies as previously approved by the legislature. The authority and responsibility to conduct such an examination shall be vested in the legislative budget committee as prescribed in RCW 44.28.085 as now or hereafter amended.

(d) Be empowered to take exception to specific expenditures that have been incurred by any agency or to take exception to other practices related in any way to the agency's financial transactions and to cause such exceptions to be made a matter of public record, including disclosure to the agency concerned and to the director of program planning and fiscal management. It shall be the duty of the director of program planning and fiscal management to cause corrective action to be taken promptly, such action to include, as appropriate, the withholding of funds as provided in RCW 43.88.110.

(e) Shall promptly report any irregularities to the attorney general.

(4) The legislative budget committee may:

(a) Make post audits (~~of such~~) of the financial transactions (~~as it may determine~~) of any agency and management surveys and program reviews as provided for in RCW 44.28.085 (~~and~~) as now or hereafter amended. To this end the committee may in its discretion examine the books (~~and~~), accounts, and other records of any agency, official, or employee (~~charged with the receipt, custody, or safekeeping of public funds~~).

(b) Give information to the legislature or any legislative committee whenever required upon any subject relating to the (~~financial affairs of the~~) performance and management of state agencies.

(c) Make (~~its official~~) a report (~~on or before the thirty-first of December which precedes the meeting of~~) to the legislature (~~The Report~~) which shall (~~be for the last complete fiscal period and shall~~) include at least the following:

(i) Determinations as to the extent to which agencies in making expenditures have complied with the will of the legislature and in this connection, may take exception to specific expenditures or financial practices of any agencies; and

(ii) Such plans as it deems expedient for the support of the state's credit, for lessening expenditures, for promoting frugality and economy in agency affairs and generally for an improved level of fiscal management (~~and~~

~~(iii) A report on the efficiency and accuracy of the post audit operations of the state government).~~

Sec. 9. Section 1, chapter 248, Laws of 1969 ex. sess. and RCW 43.88.195 are each amended to read as follows:

After August 11, 1969, no state agency, state institution, state institution of higher education, which shall include all state universities, state colleges, and community colleges, shall establish any new accounts or funds which are to be located outside of the state treasury: PROVIDED, That the ((state budget director) office of program planning and fiscal management shall be authorized to grant permission for the establishment of such an account or fund outside of the state treasury only when the requesting agency presents compelling reasons of economy and efficiency which could not be achieved by placing such funds in the state treasury. When the ((state budget director) director of the office of program planning and fiscal management authorizes the creation of such fund or account, he shall forthwith give written notice of the fact to the ((legislative budget committee) standing committees on ways and means of the house and senate.

Sec. 10. Section 4, chapter 41, Laws of 1967 ex. sess. as amended by section 3, chapter 17, Laws of 1973 2nd ex. sess. and RCW 43.88.205 are each amended to read as follows:

(1) Whenever an agency makes application, enters into a contract or agreement, or submits state plans for participation in, and for grants of federal funds under any federal law, the agency making such application shall at the time of such action, give notice in such form and manner as the director of program planning and fiscal management (~~or any successor agency or committee of the legislature~~) may prescribe, or the chairman of the legislative budget committee, standing committees on ways and means of the house and senate, the chief clerk of the house, or the secretary of the senate may request.

(2) Whenever any such application, contract, agreement, or state plan is amended, such agency shall notify each such officer of such action in the same manner as prescribed or requested pursuant to subsection (1) of this section.

(3) Such agency shall promptly furnish such progress reports in relation to each such application, contract, agreement, or state plan as may be requested following the date of the filing of the application, contract, agreement, or state plan; and shall also file with each such officer a final report as to the final disposition of each such application, contract, agreement, or state plan if such is requested.

Sec. 11. Section 43.88.230, chapter 8, Laws of 1965 and RCW 43.88.230 are each amended to read as follows:

For the purposes of this chapter, (~~the legislative council~~) the statute law committee, the legislative budget committee, and all legislative (~~interim~~) standing committees of both houses shall be deemed a part of the legislative branch of state government.

NEW SECTION. Sec. 12. There is added to chapter 44.04 RCW a new section to read as follows:

(1) The legislative budget committee is authorized and directed to approve, modify and approve, defer or reject by a majority vote any spending recommendations from unanticipated receipts submitted by the governor during any period during which the legislature is not in session or has been in recess for three days or more.

(2) During any period when the legislature is in session or has not been in recess three days or longer, the house and senate standing committees on ways and means are authorized to jointly or separately approve, modify and approve, defer, or reject by a majority vote of each, any spending recommendations from unanticipated receipts which the governor may recommend.

Sec. 13. Section 2, chapter 43, Laws of 1951 and RCW 44.28.060 are each amended to read as follows:

The committee shall have the power and duty to appoint its own chairman, vice chairman, and other officers; to make rules and regulations for orderly procedure; to perform, either through the legislative budget committee (~~or through the legislative council~~) or through subcommittees of the legislative budget committee, all duties and functions relating to ((the study of expenditures by the)) improving the economy, efficiency, and effectiveness of state agency management by performance audits and other staff studies of state government, its officers, boards, committees, commissions, institutions, and other state agencies.

Sec. 14. Section 4, chapter 43, Laws of 1951 as amended by section 10, chapter 206, Laws of 1955 and RCW 44.28.080 are each amended to read as follows:

The committee shall have the following powers:

(1) To make ((current)) examinations and reports ((concerning the current condition of all state funds, appropriations and other state moneys;)) concerning whether or not ((such)) appropriations are being ((currently)) expended for the purposes and within the statutory restrictions provided by the legislature; concerning the ((current availability)) economic outlook and estimates of revenue to meet expenditures ((under appropriations)); and concerning the organization and operation of procedures necessary or desirable to ((control the expenditures and other fiscal operations of the)) promote economy, efficiency, and effectiveness in state government, its officers, boards, committees, commissions, institutions and other state agencies, and to make recommendations and reports to the legislature.

(2) To make such other studies and examinations of ((the expenses of the)) economy, efficiency, and effectiveness of state government and its state agencies as it may find advisable, and to hear complaints, hold hearings, gather information and make findings of fact with respect thereto.

(3) The committee shall have the power to receive messages and reports in person or in writing from the governor or any other state officials and to study generally any and all business relating to economy, efficiency, and effectiveness in state government and state agencies.

Sec. 15. Section 3, chapter 170, Laws of 1971 ex. sess. and RCW 44.28.085 are each amended to read as follows:

The legislative budget committee ((may)) shall make management surveys and program reviews as to every public body, officer or employee subject to the provisions of RCW 43.09.290 through 43.09.340. The legislative budget committee may also make management surveys and program reviews of local school districts, intermediate school districts, and other units of local government receiving state funds as grants-in-aid or as shared revenues. Management surveys for the purposes of this section shall be an independent examination for the purpose of providing the legislature with an evaluation and report of the manner in which any public agency, officer, administrator, or employee ((of a state agency subject to RCW 43.09.290 through 43.09.340)) has discharged ((his)) the ((responsibilities)) responsibility to faithfully, efficiently, and effectively administer any legislative purpose of the state. Program reviews for the purpose of this section shall be an examination of ((agency)) state or local government programs to ascertain whether or not such programs continue to serve their intended purposes, are conducted in an efficient and effective manner, or require modification or elimination: PROVIDED, That nothing in this section shall limit the power or duty of the state auditor to report to the legislature as directed by subsection (3) of RCW 43.88.160 as ((amended by this 1971 amendatory act)) now or hereafter amended. The authority in this section conferred excludes a like authority in the state auditor.

The legislative budget committee shall receive a copy of each report of examination issued by the state auditor under RCW 43.09.310, shall review all such reports, and shall make such recommendations to the legislature and to the state auditor as it deems appropriate.

Sec. 16. Section 6, chapter 43, Laws of 1951 and RCW 44.28.100 are each amended to read as follows:

The committee shall have the power to make reports from time to time to the members of the legislature ((to the legislative council;)) and to the public with respect to any of its findings or recommendations. The committee shall keep complete minutes of its meetings. The committee shall make and distribute its final report to the members of the ensuing legislature at least ten days prior to the convening of the legislature.

Sec. 17. Section 11, chapter 43, Laws of 1951 as amended by section 9, chapter 206, Laws of 1955 and RCW 44.28.140 are each amended to read as follows:

The committee is hereby authorized and empowered to appoint an officer to be known as the legislative auditor, and to fix his compensation, who shall be the executive officer of the committee and assist in its duties and shall compile information for the committee. The committee is hereby authorized and empowered to select and employ other clerical, legal, accounting, research and other personnel that it may deem desirable in the performance of its duties, and the compensation and salaries shall be fixed by the legislative budget committee.

The duties of the legislative auditor shall be as follows:



(1) To ascertain the facts and make recommendations to the committee and under their direction to the committees of the state legislature concerning

(a) ~~((state budget;~~

~~(b))) revenues and expenditures of the state; and~~

~~((c))) (b) the organization and functions of the state, its departments, subdivisions and agencies.~~

(2) To assist the ~~((appropriations))~~ several standing committees of the house and senate ~~((respectively))~~ in consideration of ~~((the budget and all bills carrying express or implied appropriations and all))~~ legislation affecting state departments and their efficiency; to appear before ~~((any))~~ other legislative committees and to assist any other legislative committee(s) upon instruction by the legislative budget committee.

(3) To provide the legislature with information obtained under the direction of the legislative budget committee.

(4) To maintain a record of all work performed by the legislative auditor under the direction of the legislative budget committee and to keep and make available all documents, data and reports submitted to him by any legislative committee.

Sec. 18. Section 7, chapter 43, Laws of 1951 and RCW 44.28.150 are each amended to read as follows:

The committee shall cooperate, act and function with ~~((the legislative council))~~ legislative committees and with the councils or committees of other states similar to this committee and with other interstate research organizations.

Sec. 19. Section 2, chapter 195, Laws of 1971 ex. sess. and RCW 44.40.025 are each amended to read as follows:

In addition to the powers and duties authorized in RCW 44.40.020 the committee, the standing committees on ways and means and on transportation and utilities of the house and senate shall, in coordination with the legislative budget committee, ascertain, study, and/or analyze all available facts and matters relating or pertaining to sources of revenue, appropriations, expenditures, and financial condition of the motor vehicle fund and accounts thereof, the highway safety fund, and all other funds related to transportation programs of the state.

Sec. 20. Section 4, chapter 25, Laws of 1965 as last amended by section 2, chapter 91, Laws of 1971 ex. sess. and RCW 46.68.041 are each amended to read as follows:

(1) The department shall forward all funds accruing under the provisions of chapter 46.20 RCW together with a proper identifying, detailed report to the state treasurer who shall deposit such moneys to the credit of the highway safety fund except as otherwise provided in this section.

(2) One dollar of each fee collected for a temporary instruction permit shall be deposited in the driver education account in the general fund.

(3) Out of each fee of five dollars collected for a driver's license, the sum of three dollars and ten cents shall be deposited in the highway safety fund, and one dollar and ninety cents shall be deposited in the general fund ~~((PROVIDED, That the legislative budget committee and the legislative transportation committee are directed to jointly review methods for providing adequate financing of the state patrol and report their conclusions to the next session of the legislature commencing after January 1, 1972)).~~

NEW SECTION. Sec. 21. The following acts or parts of acts are each hereby repealed:

(1) Section 43.79.280, chapter 8, Laws of 1965, section 3, chapter 144, Laws of 1973 and RCW 43.79.280;

(2) Section 5, chapter 43, Laws of 1951 and RCW 44.28.090;

(3) Section 2, chapter 148, Laws of 1959 and RCW 44.28.160; and

(4) Section 1, chapter 40, Laws of 1971 ex. sess. and RCW 28B.10.180.

NEW SECTION. Sec. 22. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 23. This 1975 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 on July 1, 1975."

Beginning in line 1 of the title with "amending" strike all material down to and including the period in line 7 and insert the following: "amending section 43.09.310, chapter 8, Laws of 1965 as amended by section 2, chapter 170, Laws of 1971 ex. sess. and RCW 43.09.310; amending section 43.62.050, chapter 8, Laws of 1965 and RCW 43.62.050; amending section 43.79.270, chapter 8, Laws of 1965 as amended by section 2, chapter 144, Laws of 1973 and RCW 43.79.270; amending section 43.88.090, chapter 8, Laws of 1965 as amended by section 6, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.090; amending section 43.88.110, chapter 8, Laws of 1965 and RCW 43.88.110; amending section 1, chapter 263, Laws of 1971 ex. sess. and RCW 43.88.115; amending section 43.88.160, chapter 8, Laws of 1965 as last amended by section 11, chapter 40, Laws of 1975 and RCW 43.88.160; amending section 1, chapter 248, Laws of 1969 ex. sess. and RCW 43.88.195; amending section 4, chapter 41, Laws of 1967 ex. sess. as amended by section 3, chapter 17, Laws of 1973 2nd ex. sess. and RCW 43.88.205; amending section 43.88.230, chapter 8, Laws of 1965 and RCW 43.88.230; amending section 2, chapter 43, Laws of 1951 and RCW 44.28.060; amending section 4, chapter 43, Laws of 1951 as amended by section 10, chapter 206, Laws of 1955 and RCW 44.28.080; amending section 3, chapter 170, Laws of 1971 ex. sess. and RCW 44.28.085; amending section 6, chapter 43, Laws of 1951 and RCW 44.28.100; amending section 11, chapter 43, Laws of 1951 as amended by section 9, chapter 206, Laws of 1955 and RCW 44.28.140; amending section 7, chapter 43, Laws of 1951 and RCW 44.28.150; amending section 2, chapter 195, Laws of 1971 ex. sess. and RCW

44.40.025; amending section 4, chapter 25, Laws of 1965 as last amended by section 2, chapter 91, Laws of 1971 ex. sess. and RCW 46.68.041; adding a new section to chapter 43.88 RCW; adding a new section to chapter 44.04 RCW; repealing section 1, chapter 40, Laws of 1971 ex. sess. and RCW 28B.10.180; repealing section 43.79.280, chapter 8, Laws of 1965, section 3, chapter 144, Laws of 1973 and RCW 43.79.280; repealing section 5, chapter 43, Laws of 1951 and RCW 44.28.090; repealing section 2, chapter 148, Laws of 1959 and RCW 44.28.160; declaring an emergency; and providing an effective date."

ix Signed by Senators Donohue, Newschwander, Odegaard; Representatives Shinpoch, McKibbin, Flanagan.

### MOTION

On motion of Mr. Shinpoch, the Report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

### SENATE AMENDMENTS TO HOUSE BILL

May 29, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1204 with the following amendments:

On page 1, line 9 after "branded" and before "as" insert "exclusively"

On page 1, line 10 after "honey" strike the remainder of the sentence through line 12.

On page 1, line 15 after "labeled" and before "as honey" insert "exclusively"

On page 1, line 17 insert new subsections (3) and (4) as follows:

"(3) Whenever honey is mixed with any other substance or ingredient and the commodity is to be marketed in imitation or semblance of honey, the product shall be labeled with the word 'artificial' or 'imitation' in the same type size and style as the word 'honey';

(4) Whenever any substance or commodity is to be marketed in imitation or semblance of honey, but contains no honey, the product shall not be branded or labeled with the word 'honey' and/or depict thereon a picture or drawing of a bee, beehive or honeycomb;"

Remember the remaining subsections consecutively.

On page 1, line 22 after "other ingredients" strike ", but it shall not be sold, exposed for sale, or offered for sale as honey"

On page 1, line 24 after "or labeled" and before "with the" insert "exclusively"

On page 1, line 27 after "labeled" and before "with the" insert "exclusively"

On page 2, line 1 strike the sentence commencing with "the word" and ending on lines 2 and 3 with "any honey"

On page 2, line 12 of the engrossed bill, being line 5 of the House amendment, after "this" and before "is in" strike "1975 amendatory act" and insert "chapter, as now or hereafter amended,"

On page 2, line 14 of the engrossed bill, being line 7 of the House amendment, after "this" and before ", he is" strike "1975 amendatory act" and insert "chapter, as now or hereafter amended,"

On page 2, line 21 of the engrossed bill, being line 15 of the House amendment, after "this" and before ", such embargo" strike "1975 amendatory act" and insert "chapter, as now or hereafter amended,"

On page 3, line 4 of the engrossed bill, being page 3, line 1 of the printed bill, after "this" and before "which pend" strike "1975 act" and insert "chapter, as now or hereafter amended,"

On page 3, line 11 of the engrossed bill, being page 3, line 8 of the printed bill, after "under this" strike "act" and insert "chapter, as now or hereafter amended,"

On page 3, line 19 of the engrossed bill, being page 3, line 16 of the printed bill, after "under this" and before "if the court" strike "act" and insert "chapter, as now or hereafter amended,"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Ms. Becker, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1204.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1204 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1204 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 7; not voting, 14.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling,

Kalich, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Chandler, Deccio, Gilleland, Hayner, Newhouse, Pardini, Wilson.

Not voting: Representatives Amen, Blair, Cochrane, Curtis, Flanagan, Kilbury, Kuehnl, May, Nelson, Randall, Tilly, Valle, Whiteside, Zimmerman.

Engrossed Substitute House Bill No. 1204 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives King, Savage and Freeman as conferees on Engrossed Senate Bill No. 2401.

#### MESSAGE FROM THE SENATE

May 27, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2840, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Knowles, the House refused to recede from its amendments to Engrossed Senate Bill No. 2840, and asked the Senate for a conference thereon.

#### MESSAGE FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 2341, and asks the House to recede therefrom, and said bill, together with the House amendment thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Parker, the House refused to recede from its amendment to Engrossed Senate Bill No. 2341, and asked the Senate for a conference thereon.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Amen, Blair, Brown, Curtis, Kilbury, Kuehnl, Leckenby, May, Nelson, Valle and Zimmerman, who were excused.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SUBSTITUTE SENATE BILL NO. 2159,  
 SENATE BILL NO. 2292,  
 SENATE BILL NO. 2501,  
 SENATE BILL NO. 2862,  
 SUBSTITUTE SENATE BILL NO. 2937,  
 HOUSE BILL NO. 95,  
 HOUSE BILL NO. 606,  
 HOUSE BILL NO. 733,

SUBSTITUTE HOUSE BILL NO. 762,  
HOUSE BILL NO. 1026,  
SUBSTITUTE HOUSE BILL NO. 1141.

SENATE AMENDMENTS TO HOUSE BILL

May 29, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 664 with the following amendments:

On page 1, line 4 after "RCW" strike all the matter down to the period on line 5.

On page 2, line 11 of the engrossed and printed bills, strike "June 1, 1975" and insert "September 1, 1975"

On page 2, line 13 of the engrossed and printed bills, after "June 30," and before the period strike "1977" and insert "1976"

On page 2, line 24 of the engrossed and printed bills after "mechanically" and before "and" insert "or electrically"

Strike the House amendment on page 3, line 20 after "space" inserting ", double glazing with at least 1/4" air space", being the material beginning on line 22 of the engrossed bill.

On page 5, line 11 of the printed and engrossed bills, after "0.10 8" and before "11" strike "0.07" and insert "0.08"

On page 7, line 35 of the engrossed bill, being line 2 of the House amendment to page 7, line 2 after "Sec. 12." and before "act" strike "This" and insert "The insulation requirements of this"

On page 8, line 17 of the engrossed bill, being line 8 of the printed bill, strike all of section 16, being the old section 15.

On page 8, line 14 of the engrossed bill, being line 5 of the House amendment to page 8, line 6 after "Standards," and before "Edition" strike "1973" and insert "1976"

On page 8, following line 16 of the engrossed bill, being line 7 of the printed bill, insert a new section to read as follows:

"NEW SECTION. Sec. 15. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Re-number the remaining sections accordingly.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Bauer, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 664.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 664 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 664 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 64; nays, 16; not voting, 18.

Voting yea: Representatives Adams, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Charette, Charney, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Savage, Seeberger, Sherman, Smith E. P., Smith R., Thompson, Warnke, Whiteside, Wojahn.

Voting nay: Representatives Bond, Chandler, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Jueling, Lyson, Polk, Schumaker, Williams, Wilson.

Not voting: Representatives Amen, Bagnariol, Blair, Brown, Curtis, Kilbury, Kuehnle, Lee, May, Nelson, Patterson, Randall, Shipoch, Sommers, Tilly, Valle, Zimmerman, and Mr. Speaker.

Engrossed Substitute House Bill No. 664 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

May 30, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2090, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Stortini, Newschwander, Marsh.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Bauer, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 2090.

## MESSAGE FROM THE SENATE

May 30, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2381, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. King, the House insisted on its position on Engrossed Senate Bill No. 2381, and asked the Senate for a conference thereon.

## REPORT OF CONFERENCE COMMITTEE

May 30, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2623 as amended by the House, have had the same under consideration, and we report that we cannot agree and request the powers of free conference in order to propose the following amendments to the House committee amendment:

On page 3 of the House committee amendment, section 2, line 6 (12) strike "or threatened"

On page 6, section 6, line 6 (1), strike "criminal or civil"

On page 7, section 8, line 2, strike "26.04" and insert "26.44"

On page 7, section 8, line 2 (2) after "case," insert "when the court finds upon clear, cogent and convincing evidence that an incident of child abuse or neglect has occurred"

On page 9, line 3 after "that child's" strike "health and"

Signed by Senators Day, Marsh, North; Representatives Parker, Bauer, Eikenberry.

## MOTION

On motion of Mr. Parker, the House adopted the Conference Committee report and granted the committee the powers of Free Conference.

## REPORTS OF STANDING COMMITTEES

May 30, 1975

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2048, Original Prime Sponsor: Senator Knoblauch, revising laws on boating. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with amendments adopted by the Committee on Ways and Means - Revenue. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman-Appropriations; Randall, Chairman-Revenue; Brown, Charette, Chatalas, Ehlers, Erickson, Hawkins, Hurley (George), Hurley (Margaret), Kilbury, Luders, McKibbin, Moon, North, Smith (Edward), Smith (Rick), Sommers, Thompson, Williams.

To Committee on Rules for second reading.

May 30, 1975

ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, Original Prime Sponsor: Senator Newschwander, making certain corrections and adjustments in the tax laws. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with amendment adopted by the Committee on Ways and Means - Revenue. Signed by Representatives Bagnariol, Chairman; Shinpoch, Chairman-Appropriations; Randall, Chairman-Revenue; Flanagan, Hurley (George), Hurley (Margaret), Kilbury, Kuehnle, McKibbin, Moreau, Nelson, Newhouse, North, Pardini, Polk, Smith (Edward), Smith (Rick), Sommers, Thompson.

#### MOTION

Mr. Charette moved that the rules be suspended, and Engrossed Substitute Senate Bill No. 2736 be advanced to second reading and read the second time in full.

Representatives Charette and Pardini spoke in favor of the motion, and the motion was carried.

#### SECOND READING

Mr. Charette moved that the House immediately consider Engrossed Substitute Senate Bill No. 2500.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "Is there a higher rank motion that would bring House Concurrent Resolution No. 35 before this body for immediate consideration?"

The Speaker (Mr. O'Brien presiding): "The question before us at the present time is to consider immediately Engrossed Substitute Senate Bill No. 2500."

#### MOTION

Mr. Pardini moved that the motion for immediate consideration of Engrossed Substitute Senate Bill No. 2500 be stricken, and that House Concurrent Resolution No. 35 be placed on second reading for immediate consideration.

Representatives Pardini, Eikenberry, Polk and Flanagan spoke in favor of the motion, and Representatives Bagnariol, Charette, Moon and Savage spoke against it.

Mr. Luders demanded the previous question and the demand was not sustained.

Mr. Peterson spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to consider immediately House Concurrent Resolution No. 35 on second reading, and the motion was lost by the following vote: Yeas, 30; nays, 54; not voting, 14.

Voting yea: Representatives Barnes, Berentson, Bond, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Jueling, Leckenby, Lee, Lysen, Matthews, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Luders, Martinis, Maxie, McCormick, Moon, Moreau, North, O'Brien, Parker, Perry, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Thompson, Warnke, Williams, Wojahn.

Not voting: Representatives Amen, Blair, Brown, Curtis, Kilbury, Kuehnle, May, McKibbin, Nelson, Randall, Sommers, Valle, Zimmerman, and Mr. Speaker.

The motion by Mr. Charette, to consider immediately Engrossed Substitute Senate Bill No. 2500 was carried.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2500, by Committee on Labor (Originally sponsored by Senators Mardesich, Matson, Lewis (R.H.), Bailey, Gould, North and Ridder):

Enacting the education employment relations act.

The bill was read the second time.

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2500 be placed on final passage.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute Senate Bill No. 2500 to third reading and final passage, and the motion was carried by the following vote: Yeas, 66; nays, 21; not voting, 11.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Perry, Savage, Seeberger, Sherman, Shipoch. Smith E. P., Smith R., Sommers, Thompson, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Berentson, Bond, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hurley M., Matthews, Newhouse, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Amen, Blair, Brown, Curtis, Kilbury, Kuehnle, May, Nelson, Randall, Valle, Zimmerman.

The Speaker (Mr. O'Brien presiding) stated that the motion having carried, the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2500.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2500, and the bill passed the House by the following vote: Yeas, 74; nays, 11; not voting, 13.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Perry, Peterson, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bond, Chandler, Dunlap, Eikenberry, Freeman, Gilleland, Hayner, Hurley M., Matthews, Polk, Schumaker.

Not voting: Representatives Amen, Blair, Brown, Curtis, Flanagan, Kilbury, Kuehnle, May, Nelson, Patterson, Randall, Valle, Zimmerman.

Engrossed Substitute Senate Bill No. 2500, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1033, by Representatives Newhouse, Flanagan, Jastad and Haley:

Providing for two-year probationary period for certificated employees with special hearing procedure upon nonrenewal of contract.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, Seventy-first Day ex. sess., May 23, 1975.)

Mr. Bauer moved adoption of the committee amendment to page 2, line 10.

## POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Newhouse.

Mr. Newhouse: "In view of action taking the superintendent out of the tenure altogether in another bill, what would be the effect of your amendment? It won't accomplish anything."

Mr. Bauer: "At the time we were handling this bill in committee, I do not believe that bill was in final conclusion."

The committee amendment was adopted.

On motion of Mr. Bauer, the committee amendments to page 2 and page 4 were adopted.

Mr. Bauer moved adoption of the committee amendment to page 5, line 3.

Mr. Bauer spoke in favor of the amendment, and Mr. Newhouse spoke against it.

Mr. Bauer spoke again in favor of the amendment, and it was adopted.

On motion of Mr. Bauer, the following amendments were adopted:

On page 3, line 3 after "probation" insert "as defined by this section"

On page 4, line 17 after "status" insert "as defined by RCW 28A.67.070"

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Hurley (Margaret):

On page 5 after section 3 add a new section as follows:

"NEW SECTION. Sec. 4. The provisions of RCW 28A.67.070 shall not apply to school district administrators, which shall include, deputy superintendent, assistant superintendent, assistant to the superintendent, supervisor, director, principal, vice principal, and assistant principal for their responsibilities as an administrator."

Renumber the remaining section consecutively.

Representatives Barnes and Hurley (Margaret) spoke in favor of the amendment, and it was adopted.

#### MOTION

Mr. Thompson moved that further action on House Bill No. 1033 be deferred until tomorrow.

Mr. Thompson spoke in favor of the motion, and Mr. Newhouse spoke against it.

#### MOTION FOR RECONSIDERATION

Mr. Luders moved that the House immediately reconsider the vote by which the amendment by Representatives Barnes and Hurley (Margaret) was adopted.

Mr. Luders spoke in favor of the motion, and Mr. Lysen spoke against it.

Mr. Thompson demanded an electric roll call on the motion, and the demand was sustained.

Mr. Pardini spoke in favor of the motion for reconsideration, and Representatives Flanagan, Hurley (Margaret) and Barnes spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion for reconsideration of the Barnes/Hurley (M.) amendment, and the motion was lost by the following vote: Yeas, 38; nays, 46; not voting, 14.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Eikenberry, Erickson, Fortson, Gaspard, Hansen, Haussler, Hurley G. S., Luders, Maxie, McCormick, McKibbin, Moreau, North, O'Brien, Pardini, Paris, Peterson, Randall, Savage, Schumaker, Shinpooh, Smith E. P., Smith R., Thompson, Wojahn.

Voting nay: Representatives Barnes, Bausch, Berentson, Bond, Chandler, Cochrane, Deccio, Dunlap, Ehlers, Eng, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansey, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Lee, Lysen, Martinis, Matthews, Moon, Newhouse, Parker, Perry, Polk, Seeberger, Sherman, Sommers, Tilly, Warnke, Whiteside, Williams, Wilson.

Not voting: Representatives Amen, Blair, Brown, Curtis, Jueling, Kilbury, Kuehnle, Leckenby, May, Nelson, Patterson, Valle, Zimmerman, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Thompson to defer further action of House Bill No. 1033 until tomorrow.

Mr. Hurley (George) spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to defer further action on House Bill No. 1033 until tomorrow, and the motion was carried by the following vote: Yeas, 60; nays, 24; not voting, 14.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shinpooh, Smith E. P., Smith R., Sommers, Thompson, Warnke, Williams, Wojahn.

Voting nay: Representatives Berentson, Chandler, Deccio, Dunlap, Eikenberry, Erickson, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Lee, Matthews, Newhouse, Pardini, Paris, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Not voting: Representatives Amen, Blair, Brown, Curtis, Jueling, Kilbury, Kuehnle, Leckenby, May, Nelson, Patterson, Valle, Zimmerman, and Mr. Speaker.



ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard and Newschwander):

Making certain corrections and adjustments in the tax laws.

The bill was read the second time.

Committee on Ways and Means recommendation: That the Committee on Ways and Means - Revenue amendment be adopted. (For amendment, see Journal, Sixty-ninth Day ex. sess., May 21, 1975.)

Mr. Randall moved adoption of the committee amendment.

Mr. Newhouse moved adoption of the following amendments to the committee amendment:

On page 1, after "county" on line 17 strike "enumerated in RCW 70.33.040" and insert "~~((enumerated in RCW 70.33.040))~~ in the state of Washington"

On page 2, line 28 beginning with "Clallam" strike all the material down to and including "counties" on line 32 and insert "~~((Clallam, Jefferson, Kitsap, Mason, Grays Harbor, Thurston, Pacific, Lewis, Wahkiakum, Cowlitz, Clark, Skamania, Klickitat, Pierce, King, Snohomish, Skagit, Whatcom, San Juan and Island counties))~~ each county of the state of Washington"

Mr. Newhouse spoke in favor of the amendments to the committee amendment, and Representatives Sommers and Haussler spoke against them.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Hansey: "At this time is the entire committee amendment to this bill before us, or is only the first section before us?"

The Speaker (Mr. O'Brien presiding): "The entire House committee amendment is before us."

#### POINT OF ORDER

Mr. Hansey: "The reason I asked the question is that I have a point of order with regard to section 3. If I don't raise the point of order regarding scope and object, if we take action on section 1, will I be precluded from doing it after action has been taken on this amendment?"

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears that your point of order wasn't timely made. Reed's Rule 112 states that '...objections to the present action must be presented before consideration has been entered upon. After debate has begun or other action has been taken it is too late.' At the present time we are considering an amendment by Representative Newhouse, debate has ensued, Representatives Sommers and Haussler were involved. I would rule your point of order is not well taken at this time."

Representatives Haley and Newhouse spoke in favor of the Newhouse amendment to the committee amendment, and Representatives Knowles and Pardini spoke against it.

The amendments to the committee amendment were not adopted.

Mr. Newhouse moved adoption of the following amendments to the committee amendment:

On page 15, line 18 after "failure" insert ", with the intent to defraud,"

On page 23, line 39 after "failure" insert ", with the intent to defraud,"

Mr. Newhouse spoke in favor of the amendments to the committee amendment, and Mr. Randall spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the Newhouse amendments to page 15, line 18 and page 23, line 39 of the committee amendment to Engrossed Substitute Senate Bill No. 2736, and the amendments were not adopted by the following vote: Yeas, 22; Nays, 58; not voting, 18.

Voting yea: Representatives Barnes, Berentson, Bond, Decchio, Dunlap, Eikenberry, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Newhouse, Pardini, Patterson, Polk, Schumaker, Seeberger, Tilly, Whiteside, Williams.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer,

Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Perry, Peterson, Randall, Savage, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Wilson, Wojahn.

Not voting: Representatives Amen, Bausch, Blair, Brown, Curtis, Hanna, Jueling, Kilbury, Kuehne, Leckenby, Lee, Matthews, May, Nelson, Valle, Warnke, Zimmerman, and Mr. Speaker.

Mr. Newhouse moved adoption of the following amendment to the committee amendment:

On page 30, line 20 strike "second" and insert "fourth" and on line 22 strike "second" and insert "fourth"

Mr. Newhouse spoke in favor of the amendment, and Mr. Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Newhouse to page 30, lines 20 and 22 of the committee amendment to Engrossed Substitute Senate Bill No. 2736, and the amendment was not adopted by the following vote: Yeas, 33; nays, 46; not voting, 19.

Voting yea: Representatives Adams, Barnes, Berentson, Chandler, Charette, Charnley, Decchio, Dunlap, Eikenberry, Flanagan, Freeman, Greengo, Haley, Hansen, Hansey, Hayner, Hendricks, Hurley M., Martinis, Moreau, Newhouse, O'Brien, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Thompson, Tilly, Whiteside, Wilson, Wojahn.

Voting nay: Representatives Bagnariol, Bausch, Becker, Bender, Boldt, Ceccarelli, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, King, Knowles, Laughlin, Luders, Lysen, Maxie, McCormick, McKibbin, Moon, North, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Warnke, Williams.

Not voting: Representatives Amen, Bauer, Blair, Bond, Brown, Curtis, Hanna, Jueling, Kilbury, Kuehne, Leckenby, Lee, Matthews, May, Nelson, Parker, Valle, Zimmerman, and Mr. Speaker.

Mr. Hansey moved adoption of the following amendment to the committee amendment:

On page 3, line 13 after section 2 insert a new section to read as follows:

"NEW SECTION. Sec. 3. There is added to Title 77 RCW a new section to read as follows:

It shall be unlawful for any person to have in his or her possession steelhead trout which does not have a department of game steelhead head seal attached: PROVIDED, That steelhead trout may be possessed without an affixed head seal if said steelhead has been lawfully recorded on a supplemental steelhead seal as provided in RCW 77.32.031.

It shall be unlawful for any person to remove the head from any steelhead trout bought, sold, or possessed with the intent to buy or sell: PROVIDED, That the head may be removed if the carcass is dismembered for purposes of processing or retail sales.

A steelhead head seal shall be affixed to the head of each steelhead trout immediately upon removing the steelhead trout from the water unless the catch is lawfully recorded on a supplemental steelhead seal.

It shall be unlawful for any person to buy, sell, or possess with the intent to buy or sell a steelhead trout which does not have a department of game issued steelhead head seal attached.

Any violation of this section shall be a misdemeanor and each steelhead trout bought, sold, or possessed with the intent to buy or sell which does not have a department of game issued steelhead head seal affixed thereto shall constitute a separate offense. In addition to any penalty prescribed by a court of competent jurisdiction the director of game make revoke any license or permit issued by the department of game to buy or sell steelhead trout upon conviction or bail forfeiture for a violation of this section.

Steelhead head seals may be issued by the director of game as prescribed in RCW 77.32.070, 77.32.080, and 77.32.090. The fee for issuing and procuring such seal shall be two dollars and fifty cents and shall be paid in addition to all other license fees prescribed by law.

All moneys received from the issuance or sale of such steelhead head seals shall be paid into the state game fund and the proceeds used for the programs for propagation, preservation, conservation, and management of the steelhead trout resources."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Chatalas: "I believe this amendment is identical to House Bill No. 745 which is before the Natural Resources Committee, and I cite Rule 33."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Apparently the amendment is House Bill No. 745 and it is still pending before our committee on Natural Resources. According to Rule 33, it states as follows: 'No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution

pending before the house.' On that basis I am going to rule Representative Hansey's amendment out of order."

The Clerk read the following amendment by Representatives Hansey and Nelson to the committee amendment:

On page 3, line 13 after section 2 insert new sections to read as follows:

"Sec. 3. Section 75.32.030, chapter 12, Laws of 1955 as last amended by section 1, chapter 10, Laws of 1963 ex. sess. and RCW 75.32.030 are each amended to read as follows:

Canners, curers, freezers, wholesale dealers, and (~~retail~~) fresh fish dealers of food fish and shellfish, other than oysters, and manufacturers of food fish and shellfish byproducts, other than oyster byproducts, shall pay a privilege fee equal to two percent of the primary market value on all fresh or frozen (~~chumook and silver~~) salmon or parts thereof which they receive, handle, deal in, or deal with as original receiver in the state, except for sockeye or pink salmon caught northerly and westerly of the boundary line established in RCW 75.12.010, known as the Initiative 77 Line, and they shall pay a privilege fee equal to one percent of the primary market value on such sockeye or pink salmon caught northerly and westerly of the boundary line established in RCW 75.12.010, known as the Initiative 77 Line, and on all other fresh or frozen food fish and shellfish or part thereof, except oysters, which they receive, handle, deal in or deal with, as original receiver in the state: PROVIDED, That any person or sales agency selling fresh or frozen food fish or shellfish (~~previously landed in the state~~) or parts thereof to (~~others~~) purchasers of food fish or shellfish residing outside the state of Washington, and which had been previously landed in the state, shall be responsible for and shall pay the privilege (~~taxes~~) fees herein provided: PROVIDED FURTHER, That when Washington state landing fees as described in RCW 75.32.070 and 75.32.080, as now or hereafter amended, are not paid by the fisherman or original receiver the privilege fee provided for in this section shall be double on all food fish and shellfish unless specifically exempted by provisions of this chapter.

Sec. 4. Section 75.32.070, chapter 12, Laws of 1955 as last amended by section 1, chapter 63, Laws of 1973 1st ex. sess. and RCW 75.32.070 are each amended to read as follows:

A (~~catch~~) landing fee shall be paid by every person (~~taking food fish or shellfish, or parts thereof, from the waters or beaches of this state for commercial purposes~~) who lands and sells for commercial purposes within the state of Washington, food fish or shellfish, or parts thereof, and the fee shall be equal to two percent of the primary market value of all fresh or frozen (~~chumook and silver~~) salmon so (~~taken~~) landed and sold, except for sockeye or pink salmon caught northerly and westerly of the boundary line established in RCW 75.12.010, known as the Initiative 77 Line, and one percent of the primary market value of such sockeye or pink salmon caught northerly and westerly of the boundary line established in RCW 75.12.010, known as the Initiative 77 Line, and of all other species of food fish and shellfish, or parts thereof: PROVIDED, That (~~catch taxes~~) landing fees shall not be paid by those taking shellfish from licensed oyster or clam farms or by those taking food fish or shellfish, or parts thereof, from fish farms licensed pursuant to RCW 75.16.110: PROVIDED FURTHER, That it is not the intent of the state of Washington to collect privilege fees or (~~catch~~) landing fees on fish and shellfish previously landed from the Columbia River district in Oregon, on which Oregon privilege or landing fees have already been paid, and which are transhipped to this state. An official certification of payment of Oregon privilege fees must be furnished the Washington department of fisheries in these instances.

Sec. 5. Section 75.32.080, chapter 12, Laws of 1955 and RCW 75.32.080 are each amended to read as follows:

The (~~catch~~) landing fees provided for herein shall be deducted from the payments made by the original receiver to the person catching or landing the food fish or shellfish, and the original receiver shall collect the fees and remit them to the director, and in event he fails to do so he is liable for such fees as he fails to collect and remit.

"Original receiver" means the person first receiving, handling, dealing in, or dealing with the fresh or frozen fish or shellfish within the jurisdiction of the state of Washington as a canner, curer, freezer, retail dealer, wholesale dealer, byproducts manufacturer, or branch plant; and the privilege fees provided for herein shall be paid on all fresh or frozen food fish or shellfish handled by the original receivers regardless of where the fish or shellfish were caught: PROVIDED, That no (~~tax~~) fee shall be paid on frozen food fish or frozen shellfish that has been previously landed in another state, territory, or country: PROVIDED FURTHER, That any person or sales agency selling fresh or frozen food fish or shellfish previously landed in the state to others residing outside the state of Washington, shall be responsible for and shall pay the privilege (~~taxes~~) fees herein provided.

Sec. 6. Section 75.32.090, chapter 12, Laws of 1955 as last amended by section 1, chapter 193, Laws of 1967 and RCW 75.32.090 are each amended to read as follows:

The privilege or (~~catch~~) landing fees herein provided for are due and payable in quarterly installments, and the fees accruing during each quarterly period shall become due on the first day of the month immediately following the end of the quarterly period, and shall be paid on or before the last day of that month. The following shall constitute the quarterly periods to be utilized:

- (1) January, February, March;
- (2) April, May, June;
- (3) July, August, September;
- (4) October, November, December.

On or before the day payment is required as provided above, the person paying the privilege or (~~catch~~) landing fees shall prepare a return under oath upon such forms and setting forth such information as the

director may require, and transmit the same to the director together with a remittance for the fees which are due. Any person that is subject at any time of the year to the privilege or ((catch)) landing fee provisions set forth in this chapter shall file a return each quarter whether or not any fees are due."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Martinis: "Mr. Speaker, this amendment is simply a copy of Substitute House Bill No. 1117 which is presently before the House Rules Committee, and I would cite House Rule 33."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The Speaker will rule the amendment out of order on the basis of House Rule 33. Apparently the amendment is substantially the same as Substitute House Bill No. 1117, which is pending before the House Rules Committee."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "What constitutes 'substantially'? Everyone of these amendments and the committee amendment are substantially the same as other bills before the House."

The Speaker (Mr. O'Brien presiding): "If others are substantially the same and someone raises a point of order, they will be ruled out of order."

The Clerk read the following amendment by Representative Charnley to the committee amendment:

On page 7 of the House Committee amendment beginning on line 4 strike all of section 8 and insert the following:

"Sec. 8. Section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 185, Laws of 1974 ex. sess. and RCW 82.08.030 are each amended to read as follows:

The tax hereby levied shall not apply to the following sales:

(1) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16 or 82.28 RCW: PROVIDED, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12 RCW;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16 RCW, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter;

(3) The distribution and newsstand sale of newspapers;

(4) Sales which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(5) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes ((and sales of motor vehicle fuel taxable under chapter 82.36 RCW: PROVIDED; That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12 RCW));

(6) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) of RCW 82.16.010;

(7) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

(8) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

(9) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(10) Sales of tangible personal property (other than the type referred to in subdivision (11) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: PROVIDED, That any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12 RCW;

(11) Sales of airplanes, locomotives, railroad cars, or watercraft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or watercraft, and of motor vehicles or trailers whether owned by or leased with or without drivers and used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation

by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving:

(12) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce whether such use is by the owner or whether such motor vehicles and trailers are leased to the user with or without drivers: PROVIDED, That the purchaser or user must be the holder of a carrier permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article of personal property belonging to such non-resident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use according to the Federal Boating Act of 1958, even though delivery be made within this state, but only when (a) the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the department of revenue and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use outside of this state, one copy to be filed with the department of revenue with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the department of revenue shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended;

(20) Sales of semen for use in the artificial insemination of livestock;

(21) Sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that he is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of one dollar. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with

intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

(22) Sales of form lumber to any person engaged in the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(23) Sales of, cost of, or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel and rock when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to sales of, cost of, or charges made for such labor and services, if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(24) Sales of wearing apparel to persons who themselves use such wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(25) Sales of pollen.

(26) Sales to one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

(27) The renting or leasing of motor vehicles and trailers to a nonresident of this state for use exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and for purposes of this exemption the term "nonresident" shall apply to a renter or lessee who has one or more places of business in this state as well as in one or more other states but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained and operated from the renter's or lessee's place of business in another state.

(28) Sales of prescription drugs. The term "prescription drugs" shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment (~~in humans ordered by the written direction of a dentist, physician, or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order~~) or intended to affect any function of the body of humans ordered by (a) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (b) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (c) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (d) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

(29) (~~Sales of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers:~~) Sales of insulin, prosthetic devices, and medically prescribed oxygen.

(30) Upon and after July 1, 1976, sales of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this paragraph shall not apply: (a) when the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments."

On page 15, beginning on line 14, strike all of section 10 and insert the following:

"Sec. 10. Section 82.12.030, chapter 15, Laws of 1961 as last amended by section 2, chapter 185, Laws of 1974 ex. sess. and RCW 82.12.030 are each amended to read as follows:

The provisions of this chapter shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the state by a nonresident thereof for his use or enjoyment while temporarily within the state unless such property is used in conducting a nontransitory business activity within the state; or in respect to the use by a nonresident of this state of a motor vehicle which is registered or licensed under the laws of the state of his residence and is not used in this state more than three months, and which is not required to be registered or licensed under the laws of this state; or in respect to the use of household goods, personal effects and private automobiles by a bona fide resident of this state, if such articles were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than thirty days prior to the time he entered this state;

(2) In respect to the use of any article of tangible personal property purchased at retail or acquired by lease, gift or bailment if the sale thereof to, or the use thereof by, the present user or his bailor or donor has already been subjected to the tax under chapter 82.08 or 82.12 RCW and such tax has been paid by the present user or by his bailor or donor; or in respect to the use of property acquired by bailment and such tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 or 82.12 RCW as of the time of first use; or in respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and such original bailment was prior to June 9, 1961;

(3) In respect to the use of any article of tangible personal property the sale of which is specifically taxable under chapter 82.16 RCW;

(4) In respect to the use of any airplane, locomotive, railroad car, or watercraft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and in respect to use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or watercraft, and in respect to the use by a nonresident of this state of any motor vehicle or trailer used exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and in respect to the use by a nonresident of this state of any motor vehicle or trailer so registered and licensed and used within this state for a period not exceeding fifteen consecutive days under such rules as the department of revenue shall adopt: PROVIDED, That under circumstances determined to be justifiable by the department of revenue a second fifteen day period may be authorized consecutive with the first fifteen day period; and for the purposes of this exemption the term "nonresident" as used herein, shall include a user who has one or more places of business in this state as well as in one or more other states, but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained, and operated from the user's place of business in another state; and in respect to the use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer whether owned by or leased with or without driver to the permit holder and used in substantial part in the normal and ordinary course of the user's business for transporting therein persons or property for hire across the boundaries of this state if the first use of which within this state is actual use in conducting interstate or foreign commerce; and in respect to the use of any motor vehicle or trailer while being operated under the authority of a one-transit permit issued by the director of motor vehicles pursuant to RCW 46.16.100 and moving upon the highways from the point of delivery in this state to a point outside this state; and in respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state whether such motor vehicle or trailer is owned by or leased with or without driver to the permit holder;

(5) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the Constitution of the state or under the Constitution or laws of the United States;

(6) In respect to the use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes (~~and motor vehicle fuel taxable under chapter 82.36 RCW. PROVIDED: That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the director of motor vehicles shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the department of revenue~~);

(7) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, by the state or a political subdivision thereof in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of RCW 82.16.010;

(8) In respect to the use of tangible personal property (including household goods) which have been used in conducting a farm activity, if such property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise;

(9) In respect to the use of tangible personal property by corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, flood, and other national calamities and to devise and carry on measures for preventing the same;

(10) In respect to the use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(11) In respect to the use of poultry in the production for sale of poultry or poultry products;

(12) In respect to the use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same;

(13) In respect to the use of motor vehicles, equipped with dual controls, which are loaned to and used exclusively by a school in connection with its driver training program: PROVIDED, That this exemption and the term "school" shall apply only to (a) the University of Washington, Washington State University, the state colleges and the state community colleges or (b) any public, private or parochial school accredited by either the state board of education or by the University of Washington (the state accrediting station) or (c) any public vocational school meeting the standards, courses and requirements established and prescribed or approved in accordance with the Community College Act of 1967 (chapter 8, Laws of 1967 first extraordinary session);

(14) In respect to the use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to the taxes imposed by chapter 82.08 RCW or chapter 82.12 RCW;

(15) In respect to the use by residents of this state of motor vehicles and trailers acquired and used while such persons are members of the armed services and are stationed outside this state pursuant to military orders, but this exemption shall not apply to members of the armed services called to active duty for training purposes for periods of less than six months and shall not apply to the use of motor vehicles or trailers acquired less than thirty days prior to the discharge or release from active duty of any person from the armed services;

(16) In respect to the use of semen in the artificial insemination of livestock;

(17) In respect to the use of form lumber by any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof;

(18) In respect to the use of any sand, gravel, or rock to the extent of the cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling such sand, gravel, or rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to the use of such material to the extent of the cost of or charge made for such labor and services, if the material is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(19) In respect to the use of wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(20) In respect to the use of tangible personal property held for sale and displayed in single trade shows for a period not in excess of thirty days, the primary purpose of which is to promote the sale of products or services.

(21) In respect to the use of pollen.

(22) In respect to the use of the personal property of one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

(23) In respect to the use of prescription drugs. The term "prescription drugs" shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment (in humans ordered by the written direction of a dentist, physician, or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order) or intended to affect any function of the body of humans ordered by (a) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (b) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (c) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (d) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

(24) (~~In respect to the use of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers.;~~) In respect to the use of insulin, prosthetic devices, and medically prescribed oxygen.

(25) Upon and after July 1, 1976, in respect to the use of food products for human consumption.

"Food products" include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.



"Food products" include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

"Food products" include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

"Food products" do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of "food products" provided for in this paragraph shall not apply: (a) when the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a "takeout" or "to go" order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments."

On page 33 of the House Committee Amendment after line 29, insert the following sections:

**NEW SECTION. Sec. 25.** Sections 26 through 34 of this 1975 amendatory act are added to chapter 15, Laws of 1961 and Title 84 RCW as a new chapter therein.

**NEW SECTION. Sec. 26.** For the purposes of this chapter unless otherwise required by context:

(1) "Department" means the department of revenue;

(2) "Taxpayer" means any natural person or individual, and every corporation, company, association, partnership, trust, estate or other business entity or organization operated for profit and receiving income;

(3) "Doing business" includes any transaction or transactions within this state by any taxpayer in the course of his or its business or activity;

(4) "Income year" means the calendar year and the first income year shall commence January 1, 1976.

**NEW SECTION. Sec. 27.** There is hereby levied upon and shall be collected from every taxpayer for the privilege of receiving gross income a tax computed at the rate of one percent of his or its gross income received from and after January 1, 1976.

**NEW SECTION. Sec. 28.** "Gross income" means all income received during the income year and includes gains, profits and income derived from salaries, wages or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce or sales, from interest, dividends, securities or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever which may be constitutionally taxable as property. No deduction for costs, losses or other expenses whatsoever shall be allowable in determining "gross income".

**NEW SECTION. Sec. 29.** A taxpayer engaged in business within and without this state shall be taxed only on such gross income as is derived from business transacted within this state. The amount of gross income allocable to this state shall be determined in accordance with standards prescribed in section 3, of Article IV of RCW 82.56.010 (Multistate tax compact). The department shall prescribe uniform regulations to determine proper apportionment of the gross income of such taxpayer to this state in accordance with such standards.

**NEW SECTION. Sec. 30.** Except as otherwise provided, the first tax due under this chapter shall be due and payable on or before April 30, 1977 for the preceding calendar year, and on or before April 30th each year thereafter: **PROVIDED,** That the department may by rule prescribe a different filing and payment date for taxpayers whose accounts are maintained on other than a calendar year basis.

**NEW SECTION. Sec. 31.** (1) Returns shall be in such form as the department shall from time to time prescribe and shall be filed with the department on or before April 30th for the preceding calendar year, unless a different filing and payment date has been prescribed by the department. Whenever good cause exists, the department may allow further time for filing returns except that no extension may be granted for more than six months.

(2) There shall be annexed to the return a statement verified by a written declaration of the taxpayer making the return to the effect that the statements contained therein are true. Each taxpayer shall furnish with his or its annual return a copy of the income tax return of the taxpayer to the bureau of internal revenue of the federal government.

(3) The department shall cause to be prepared blank forms for the returns and shall cause them to be distributed throughout the state and to be furnished upon application, but failure to receive or secure the form shall not relieve the taxpayer from the obligation of making any return required by this chapter.

**NEW SECTION. Sec. 32.** If any taxpayer has failed to include in a return filed, either intentionally or through error, any item of gross income which should be included under the provisions of this chapter, the department shall require from such taxpayer a return, or supplementary return under oath, in such form as it shall prescribe, of all items of gross income which the taxpayer received during the year for which the return is made. If from a supplementary return, or otherwise, the department finds that any items of gross income includable under this chapter, have been omitted from the original return, it may require the items so omitted to be disclosed to it, under oath of the taxpayer, and to be added to the original return. No return or supplementary return shall be deemed complete, so as to prevent the application of penalties and interest, unless the correctness of all matters contained therein has been certified by the taxpayer or a reasonable officer therefor.

**NEW SECTION.** Sec. 33. (1) Any taxpayer, or representative of any taxpayer, who, with intent to evade this tax, fails to make, render, sign or verify any return, or pay the tax imposed by this chapter, shall be guilty of a gross misdemeanor for each such act.

(2) Any person, including any taxpayer, or representative of any taxpayer, who, with intent to evade this tax, willfully makes any false statement in any notice, estimate, or return required to be filed by this act, or who falsifies his or the taxpayer's books or records, shall be guilty of a felony.

(3) The department shall in writing immediately notify both the attorney general and the prosecuting attorney of the applicable county of each such violation.

**NEW SECTION.** Sec. 34. The powers conferred and duties imposed upon the department and the state treasurer with respect to the administration of chapter 82.04 RCW by RCW 82.32.110, 82.32.120, 82.32.130, 82.32.320, 82.32.340, and 82.32.380 shall be applicable to the administration of the taxes imposed pursuant to this act.

Sec. 35. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 1, chapter 145, Laws of 1973 1st ex. sess. and RCW 82.04.050 are each amended to read as follows:

"Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), or (c) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsection (2), and RCW 82.04.290.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for personal business or professional services, including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in ~~((the following business activities, (a) amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others; (b) abstract, title insurance and escrow businesses, (c) credit bureau businesses,~~

(d) automobile parking and storage garage businesses) personal business or professional service activities other than medical or dental service activities.

The term shall also include the renting or leasing of tangible personal property to consumers.

The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

Sec. 36. Section 82.08.060, chapter 15, Laws of 1961 and RCW 82.08.060 are each amended to read as follows:

The tax commission shall have power to adopt rules and regulations prescribing methods and schedules for the collection of the tax required to be collected by the seller from the buyer under this chapter. The methods and schedules prescribed shall be adopted so as to eliminate the collection of fractions of one cent and so as to provide that the aggregate collections of all taxes by the seller shall, insofar as practicable, equal the amount of tax imposed by this chapter: PROVIDED, That with respect to sales of motor vehicle fuel as defined by RCW 82.36.010 and special fuel as defined by RCW 82.38.020, the methods and schedules shall provide for collection of sales tax in fractions of one-tenth of one cent per gallon. Such schedules may provide that no tax need be collected from the buyer upon sales below a stated sum and may be amended from time to time to accomplish the purposes set forth herein.

Sec. 37. Section 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440 are each amended to read as follows:

The tax herein levied is in lieu of any excise, privilege, or occupational tax upon the business of manufacturing, selling, or distributing motor vehicle fuel, and no city, town, county, township or other subdivision or municipal corporation of the state shall levy or collect any excise tax upon or measured by the sale, receipt, distribution, or use of motor vehicle fuel: PROVIDED, That nothing in this section or this chapter shall be construed to prohibit in any manner the imposition of the state retail sales tax upon motor vehicle fuel pursuant to chapter 82.08 RCW, the imposition of the state use tax upon motor vehicle fuel pursuant to chapter 82.12 RCW, and the imposition of the local sales and use tax upon motor vehicle fuel pursuant to chapter 82.14 RCW.

Sec. 38. Section 29, chapter 175, Laws of 1971 ex. sess. and RCW 82.38.280 are each amended to read as follows:

The tax herein levied is in lieu of any excise, privilege, or occupational tax upon the business of manufacturing, selling, or distributing special fuel, and no city, town, county, township or other subdivision or municipal corporation of the state shall levy or collect any excise tax upon or measured by the sale, receipt, distribution, or use of special fuel: PROVIDED, That nothing in this section or this chapter shall be construed to prohibit in any manner the imposition of the state retail sales tax upon special fuel pursuant to chapter 82.08 RCW, the imposition of the state use tax upon special fuel pursuant to chapter 82.12 RCW, and the imposition of the local sales and use tax upon motor vehicle fuel pursuant to chapter 82.14 RCW.

NEW SECTION. Sec. 39. Notwithstanding any other provision of law, upon and after January 1, 1976, no school district shall, for maintenance and operations purposes, impose a tax upon property pursuant to the provisions of paragraph (a) of section 2, as now or hereafter amended, of Article VII of the state Constitution. The statutory limitation upon school district levies shall not apply to levies imposed prior to January 1, 1976 for collection in the year 1976 or thereafter.

NEW SECTION. Sec. 40. Effective January 1, 1976, the following acts or parts of acts are each repealed:

- (1) Section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060;
- (2) Section 82.04.070, chapter 15, Laws of 1961 and RCW 82.04.070;
- (3) Section 82.04.080, chapter 15, Laws of 1961 and RCW 82.04.080;
- (4) Section 82.04.090, chapter 15, Laws of 1961 and RCW 82.04.090;
- (5) Section 82.04.100, chapter 15, Laws of 1961, section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100;
- (6) Section 82.04.110, chapter 15, Laws of 1961, section 1, chapter 186, Laws of 1971 ex. sess. and RCW 82.04.110;
- (7) Section 82.04.130, chapter 15, Laws of 1961, section 5, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.130;
- (8) Section 82.04.140, chapter 15, Laws of 1961 and RCW 82.04.140;
- (9) Section 82.04.150, chapter 15, Laws of 1961 and RCW 82.04.150;
- (10) Section 82.04.160, chapter 15, Laws of 1961 and RCW 82.04.160;
- (11) Section 82.04.170, chapter 15, Laws of 1961 and RCW 82.04.170;
- (12) Section 82.04.180, chapter 15, Laws of 1961 and RCW 82.04.180;
- (13) Section 82.04.190, chapter 15, Laws of 1961, section 4, chapter 173, Laws of 1965 ex. sess., section 6, chapter 149, Laws of 1967 ex. sess., section 4, chapter 255, Laws of 1969 ex. sess., section 4, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.190;

- (14) Section 82.04.200, chapter 15, Laws of 1961 and RCW 82.04.200;  
 (15) Section 82.04.210, chapter 15, Laws of 1961 and RCW 82.04.210;  
 (16) Section 82.04.212, chapter 15, Laws of 1961 and RCW 82.04.212;  
 (17) Section 82.04.220, chapter 15, Laws of 1961 and RCW 82.04.220;  
 (18) Section 82.04.230, chapter 15, Laws of 1961, section 7, chapter 149, Laws of 1967 ex. sess., section 33, chapter 262, Laws of 1969 ex. sess., section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230;  
 (19) Section 82.04.240, chapter 15, Laws of 1961, section 5, chapter 173, Laws of 1965 ex. sess., section 8, chapter 149, Laws of 1967 ex. sess., section 34, chapter 262, Laws of 1969 ex. sess., section 3, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.240;  
 (20) Section 82.04.250, chapter 15, Laws of 1961, section 9, chapter 149, Laws of 1967 ex. sess., section 35, chapter 262, Laws of 1969 ex. sess., section 2, chapter 186, Laws of 1971 ex. sess., section 4, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.250;  
 (21) Section 3, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.255;  
 (22) Section 82.04.260, chapter 15, Laws of 1961, section 6, chapter 173, Laws of 1965 ex. sess., section 10, chapter 149, Laws of 1967 ex. sess., section 36, chapter 262, Laws of 1969 ex. sess., section 3, chapter 186, Laws of 1971 ex. sess., section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260;  
 (23) Section 82.04.270, chapter 15, Laws of 1961, section 11, chapter 149, Laws of 1967 ex. sess., section 37, chapter 262, Laws of 1969 ex. sess., section 4, chapter 186, Laws of 1971 ex. sess., section 6, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.270;  
 (24) Section 82.04.275, chapter 15, Laws of 1961, section 12, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.275;  
 (25) Section 2, chapter 8, Laws of 1970 ex. sess., section 7, chapter 281, Laws of 1971 ex. sess., section 5, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.280; and  
 (26) Section 82.04.290, chapter 15, Laws of 1961, section 2, chapter 28, Laws of 1963 ex. sess., section 14, chapter 149, Laws of 1967 ex. sess., section 39, chapter 262, Laws of 1969 ex. sess., section 4, chapter 65, Laws of 1970 ex. sess., section 8, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.290."
- Renumber remaining sections consecutively.

#### POINT OF ORDER

Mr. Pardini: "The amendment is substantially the same as subject matter before the House of Representatives presently languishing within the Revenue Committee—House Bill No. 1086."

The Speaker (Mr. O'Brien presiding): "The Speaker will reserve an opinion on the Charnley amendment until we do further research on the amendment."

The Speaker assumed the Chair.

Ms. Sommers moved adoption of the following amendment by Representatives Kuehnle, Sommers, Erickson, Pardini, Kilbury and Nelson to the committee amendment:

On page 14, section 8, beginning on line 33 after "(29)" strike the material down to and including "oxygen." on line 37 and insert "Sales of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers where the consumer returns the container and the vendor refunds the sales tax on the selling price of the container."

(30) Sales of insulin, prosthetic devices, and medically prescribed oxygen."

Ms. Sommers spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Moon.

Mr. Moon: "In this section where we are repealing the exemption that was granted on deposits for returnables, if a person purchased some milk in glass returnable containers, paid the sales tax on them, then returned those bottles, he would then get the sales tax returned to him and pay the sales tax on the new bottle, is this correct?"

Ms. Sommers: "That's my understanding."

Mr. Pardini spoke in favor of the amendment to the committee amendment, and Mr. Moon spoke against it.

The amendment was adopted.

On motion of Ms. Sommers, the following amendment by Representatives Kuehnle, Sommers, Erickson, Pardini, Kilbury and Nelson to the committee amendment was adopted:

On page 22, section 10, line 30 after "(24)" strike the material down to and including "oxygen." on line 25 and insert "In respect to the use of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers where the consumer returns the container and the vendor refunds the sales tax on the selling price of the container."

(25) In respect to the use of insulin, prosthetic devices, and medically prescribed oxygen."

On motion of Mr. Charnley the following amendment by Representatives Charnley and Eikenberry to the committee amendment was adopted:

On page 26, line 18 after "year" strike the period and insert "(;)" ;"

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 162,  
HOUSE JOINT MEMORIAL NO. 4.

On motion of Mr. Charnley, the following amendments by Representatives Charnley and Eikenberry to the committee amendment were adopted:

On page 26, line 22 after "imposed" insert "or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides"

On page 26, line 25 after "spouse" strike the period and insert "(;)" ;"

On page 26, line 31 after "disability" strike the period and insert "(;)" ;"

On page 27, following line 15 insert a new section as follows:

"Sec. 15. Section 2, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.383 are each amended to read as follows:

As used in this chapter, except where the context clearly indicates a different meaning:

(1) The term 'residence' shall mean a single family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands not to exceed one acre. The term shall also include a share ownership in a cooperative housing association, corporation, or partnership if the person claiming exemption can establish that his or her share represents the specific unit or portion of such structure in which he or she resides. The term shall also include a single family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington, and notwithstanding the provisions of RCW 84.04.080, 84.04.090 or 84.40.250, such a residence shall be deemed real property.

(2) The term 'real property', except for the purposes of chapters 84.56 and 84.60 RCW, shall also include a mobile home which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe, connections with sewer, water or other utilities.

(3) The term 'preceding calendar year' shall mean the calendar year preceding the year in which the claim for exemption is to be made.

(4) 'Department' shall mean the state department of revenue."

Renumber the remaining sections consecutively.

On page 28, line 24 after "located" insert ": PROVIDED, That if a claim for exemption is made by a person living in a cooperative housing association, corporation, or partnership, such claim shall be made and signed by the person entitled to the exemption and by the authorized agent of such cooperative"

On page 28, after line 32 insert a new subsection (4) as follows:

"(4) The tax liability of a cooperative housing association, corporation, or partnership shall be reduced by the amount of tax exemption to which a claimant residing therein is entitled and such cooperative shall reduce any amount owned by the claimant to the cooperative by such exact amount of tax exemption, or, if no amount be owned, the cooperative shall make payment to the claimant of such exact amount of exemption."

Mr. Leckenby appeared before the bar of the House.

MOTION FOR RECONSIDERATION

Mr. Ceccarelli, having voted on the prevailing side, moved that the House reconsider the vote by which the Newhouse amendment to page 30, line 20 and line 22 failed to pass the House.

Representatives Ceccarelli, Newhouse, Charnley and O'Brien spoke in favor of the motion, and Mr. Moon spoke against it.

The motion was carried.

The Speaker stated the question before the House to be reconsideration of the Newhouse amendment to page 30, lines 20 and 22 of the committee amendment.

Mr. Randall spoke against adoption of the amendment.

The amendment was adopted.

Mr. Conner moved adoption of the following amendment by Representatives Conner and Savage to the committee amendment:

On page 33, following line 29 insert a new section to read as follows:

"NEW SECTION. Sec. 25. There is added to chapter 82.04 RCW a new section to read as follows:

The excise tax imposed by RCW 82.04.291 shall not apply to any timber harvested by a nonprofit organization, association, or corporation from forest lands owned by it where all the income and the receipts are used solely for the promotion, operation, and maintenance of programs as described in RCW 84.36.030, which programs are equally available to all regardless of race, color, national origin, ancestry, or religious belief.

In order to determine whether the harvesting of timber by such nonprofit organization, association, or corporation is exempt from taxes imposed by RCW 82.04.291, the director of the department shall have access to its books."

Renumber the remaining sections consecutively.

Mr. Conner spoke in favor of the amendment.

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Conner and Savage to page 33 of the committee amendment to Engrossed Substitute Senate Bill No. 2736, and the amendment was adopted by the following vote: Yeas, 49; nays, 25; not voting, 24.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Boldt, Bond, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Eikenberry, Fischer, Fortson, Gallagher, Gaspard, Hansen, Haussler, Hayner, Hendricks, Hurley G. S., Jastad, Kalich, King, Laughlin, Leckenby, Martinis, Maxie, McCormick, McKibbin, Moreau, North, O'Brien, Patterson, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Thompson, Tilly, Warnke, Whiteside, Wilson, and Mr. Speaker.

Voting nay: Representatives Chandler, Douthwaite, Dunlap, Ehlers, Erickson, Flanagan, Freeman, Gaines, Gilleland, Greengo, Haley, Hansey, Hawkins, Hurley M., Lysen, Moon, Pardini, Paris, Parker, Peterson, Randall, Schumaker, Smith R., Sommers, Wojahn.

Not voting: Representatives Amen, Becker, Berentson, Blair, Brown, Ceccarelli, Curtis, Eng, Hanna, Jueling, Kilbury, Knowles, Kuehnle, Lee, Luders, Matthews, May, Nelson, Newhouse, Perry, Polk, Valle, Williams, Zimmerman.

Mrs. Fortson moved adoption of the following amendment by Representatives Fortson, Fischer, Clemente, North, Hansen and Bender to the committee amendment:

On page 25, beginning on line 37 strike all of section 14 and insert the following:

"Sec. 14. Section 1, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.381 are each amended to read as follows:

A person shall be exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed in accordance with the following conditions:

(1) The property taxes must have been imposed upon a residence which has been regularly occupied by the person claiming the exemption during the two calendar years preceding the year in which the exemption claim is filed; or the property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of January 1st of the year for which the claim is filed and the person claiming the exemption must also have been a resident of the state of Washington for the last three calendar years preceding the year in which the claim is filed: PROVIDED, That any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant shall receive an exemption on more than one residence in any year.

(2) The person claiming the exemption must have owned, at the time of filing, in fee, or by contract purchase, the residence on which the property taxes have been imposed. For purposes of this subsection, a residence owned by a marital community shall be deemed to be owned by each spouse.

(3) The person claiming the exemption must have been sixty-two years of age or older on January 1st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability.

(4) ((The amount that the person shall be exempt from an obligation to pay shall be calculated, on the basis of the combined income, from all sources whatsoever, of the person claiming the exemption and his or her spouse for the preceding calendar year, in accordance with the following schedule:

Income	Percentage of Excess
Range	Levies Exemption
\$5,000 or less	One hundred percent
\$5,001 - \$6,000	Fifty percent

PROVIDED, HOWEVER, That, in addition, any person, who otherwise qualifies under the provisions of this section, and is within the income range of four thousand dollars or less shall be exempt from any obligation to pay regular property taxes on up to five thousand dollars of valuation of his or her residence: PROVIDED FURTHER, That only two-thirds of any social security benefits, federal civil service retirement, or railroad retirement pension shall be considered as income for the purposes of this section:)) Any such person with a combined income from all sources whatsoever, including the income of his or her spouse, of ten thousand dollars or less during the preceding calendar year shall be exempt from payment of that amount of excess and regular property taxes upon his or her residence which exceed two percent of such person's income. The amount of exemption shall be applied first to reduce any excess levy obligation

which would otherwise be due and payable by such taxpayer except for the provisions of this subsection, and if any portion of such exemption remains, it shall be applied to reduce any regular levy obligations which would otherwise be due and payable by such taxpayer except for the provisions of this subsection. The gain realized by any person from the sale, transfer, or upon being displaced from his or her residence shall not be considered as income for the purposes of this section if reinvested in a replacement residence within eighteen months of its realization."

#### POINT OF ORDER

Mr. Pardini: "Mr. Speaker, I cite House Rule 33 on scope and object of this amendment. This amendment is exactly the same as House Bill No. 1071 which is pending in the Committee on Ways and Means."

#### SPEAKER'S RULING

The Speaker: "Your point of order is well taken. The amendment is out of order."

The Clerk read the following amendment by Representatives Kuehnle, Bender, Chandler, Clemente and Erickson to the committee amendment:

On page 33, line 20 add a new section to read as follows:

"Sec. 24. Section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 1st ex. sess. and RCW 84.55.010 are each amended to read as follows:

Except as provided in RCW 84.55.020 through 84.55.050, the levy in 1973 and years subsequent thereto for a taxing district other than the state or a school district or a fire district in any year shall be set so that the regular property taxes payable in the following year shall not exceed one hundred six percent of the amount of regular property taxes lawfully levied for such district in the highest of the three most recent years in which such taxes were levied for such district plus an additional dollar amount calculated by multiplying the increase in assessed value in that district resulting from new construction and improvements to property by the regular property tax levy rate of that district for the preceding year: PROVIDED, That if a taxing district has not levied in the three most recent years and elects to restore a regular property tax levy subject to applicable statutory limitations then such first restored levy shall be set so that the regular property tax payable shall not exceed the amount which could have been lawfully levied in 1973, plus an additional dollar amount calculated by multiplying the increase in assessed value in the district since 1973 resulting from new construction and improvements to property by the property tax rate which is proposed to be restored, or the maximum amount which could be lawfully levied in the year such a restored levy is proposed."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Flanagan: "I wish the Speaker to rule on scope and object of this amendment. This language is contained in House Bill No. 323 which is pending before one of the committees."

#### SPEAKER'S RULING

The Speaker: "Your point of order is well taken, Representative Flanagan, the amendment is out of order."

Mr. Tilly moved adoption of the following amendment by Representatives Kilbury and Tilly to the committee amendment:

On page 25, beginning on line 37 add a new section to read as follows:

"NEW SECTION. Sec. 14. The real and personal property of the administrative offices of nonprofit recognized religious organizations shall be exempt to the extent that the property is used for the administration of the religious programs of the organization and such other programs as would be exempt under chapter 84.36 RCW as now or hereafter amended."

Renumber the remaining sections consecutively.

Representatives Tilly and Hayner spoke in favor of the amendment, and Ms. Sommers spoke against it.

Mr. Tilly closed debate, speaking again in favor of the amendment to the committee amendment.

The amendment was adopted.

Mrs. Erickson moved adoption of the following amendment by Representatives Erickson, Kuehnle, Nelson, Sommers, Randall, Kilbury, Hawkins and Brown to the committee amendment:

On page 31, beginning on line 15 add sections to read as follows:

"NEW SECTION. Sec. 25. Savings once deemed adequate for retirement living have been rendered inadequate by increased tax rates, increased property values, and the failure of pension systems to adequately reflect such factors. It is therefore deemed necessary that the legislature, in addition to that tax

exemption as provided for in RCW 84.36.381 through 84.36.389, allow retired persons to defer payment of special assessments on their residences, and to defer their real property tax obligations on their residences, an amount of up to eighty percent of their equity in said property. This deferral program is intended to assist retired persons in maintaining their dignity and a reasonable standard of living by residing in their own homes, providing for their own needs, and managing their own affairs without requiring assistance from public welfare programs.

**NEW SECTION.** Sec. 26. Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meanings:

(1) "Claimant" means a retired person who elects to defer payment of the special assessments and/or real property taxes accrued on his residence by filing a declaration to defer as provided by this chapter.

When two individuals of a household file or seek to file a declaration to defer, they may determine between them as to who the claimant shall be.

(2) "Consumer price index" shall mean the consumer price index for urban wage earners and clerical workers as compiled by the bureau of labor statistics of the United States department of labor.

(3) "Department" means the state department of revenue.

(4) "Equity value" means the amount by which the fair market value of a residence as determined from the records of the county assessor exceeds the total amount of any liens or other obligations against the property.

(5) "Owned" includes possession under a contract of sale, deed of trust, or tenancy in common.

(6) "Special assessment" means the charge or obligation imposed by a city, town, county, or other municipal corporation upon property specially benefited by a local improvement.

(7) "Real property taxes" means ad valorem property taxes levied on a residence in this state in the preceding calendar year. If a residence is an integral part of a larger unit such as a farm, or a multi-purpose or multi-dwelling building, real property taxes shall be that percentage of the total property taxes accrued as the value of the residence is of the total value of the unit. For purposes of this paragraph "unit" refers to the parcel of property covered by a single tax statement of which the residence is a part.

(8) "Preceding calendar year" shall mean the calendar year preceding the year in which the application for deferral of special assessment and/or real property taxes is made.

(9) The term "residence" shall mean a single family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands not to exceed one acre per unit. The term shall also include a single family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington or its municipal corporations, and notwithstanding the provisions of RCW 84.04.080, 84.04.090, or 84.40.250, such a residence shall be deemed real property.

(10) The term "real property", except for the purposes of chapters 84.56 and 84.60 RCW, shall also include a mobile home which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe, connections with sewer, water or other utilities.

**NEW SECTION.** Sec. 27. A retired person may elect to defer payment of special assessments and/or real property taxes on his residence up to eighty percent of the amount of his equity value in said property if the following conditions are met:

(1) The special assessments and/or property taxes must have been imposed upon a residence: (a) Which has been regularly occupied by the person claiming the deferral during the two calendar years preceding the year in which the deferral claim is filed; or (b) which was occupied by the person claiming the deferral as a principal place of residence as of January 1st of the year for which the claim is filed and the person claiming the deferral must also have been a resident of the state of Washington for the last three calendar years preceding the year in which the claim is filed.

(2) The claimant must have owned, at the time of filing, the residence on which the special assessment and/or real property taxes have been imposed. For purposes of this subsection, a residence owned by a marital community shall be deemed to be owned by each spouse.

(3) The claimant must have been sixty-two years of age or older on January 1st of the year in which the deferral claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability.

(4) The claimant and/or his or her spouse must not have received income of the type referred to in RCW 84.36.381, as now or hereafter amended, during the preceding calendar year which exceeds the following amounts:

(a) For claims filed in 1976—eight thousand dollars;

(b) For claims filed in subsequent years, an amount equal to the previous year's income limit adjusted by the percentage change in the consumer price index for the twelve month period ending September 31st of the previous year.

(5) The claimant must have and keep in force fire and casualty insurance in sufficient amount to protect the interest of the state in the claimant's equity value.

**NEW SECTION.** Sec. 28. (1) Each claimant electing to defer payment of special assessments and/or real property tax obligations under this chapter shall file with the county assessor, on forms prescribed by the department and supplied by the assessor, a written declaration thereof. The declaration to defer special assessments and/or real property taxes for any year shall be filed prior to July 1st each year or the deferral shall not be allowed for the following year.



(2) The declaration shall designate the property to which the deferral may apply, and shall include a statement setting forth (a) a list of all members of the claimant's household, (b) the claimant's equity value in his residence, (c) facts establishing the eligibility for the deferral under the provisions of this chapter, and (d) any other relevant information required by the rules of the department. Each copy shall be signed by the claimant subject to the penalties as provided in chapter 9.72 RCW for the false swearing. The first declaration to defer filed in a county shall include proof of the claimant's age acceptable to the assessor.

(3) The county assessor shall determine if each claimant shall be granted a deferral for each year but the claimant shall have the right to appeal this determination to the county board of equalization whose decision shall be final as to the deferral of that year.

**NEW SECTION.** Sec. 29. (1)(a) Declarations to defer property taxes for all years following the first year may be made by filing with the county assessor on or before July 1st a renewal form in duplicate, prescribed by the department of revenue and supplied by the county assessor, which affirms the continued eligibility of the claimant.

(b) In January of each year, the county assessor shall send to each claimant who has been granted deferral of ad valorem taxes for the previous year renewal forms and notice to renew.

(2) Declarations to defer special assessments shall be made by filing with the assessor on or before July 1st of any year on a form to be prescribed by the department of revenue and supplied by the county assessor. Upon approval, the full amount of special assessments upon such claimant's residence shall be deferred but not to exceed an amount equal to eighty percent of the claimant's equity value in said property.

**NEW SECTION.** Sec. 30. If the claimant is unable to make his own declaration of deferral, it may be made by a duly authorized agent or by a guardian or other person charged with care of the person or property of such claimant.

**NEW SECTION.** Sec. 31. If the claimant declaring his intention to defer special assessments or real property tax obligations under this chapter ceases to reside permanently on the property for which the declaration to defer is made between the date of filing the declaration and December 15th of that year, the deferral otherwise allowable under this chapter shall not be allowed on such tax roll. However, this section shall not apply where the claimant dies, leaving a spouse surviving, who is also eligible for deferral of special assessment and/or property taxes.

**NEW SECTION.** Sec. 32. A person's right to defer special assessments and/or property tax obligations on his residence shall not be reduced by contract or agreement, from the effective date of this chapter onward.

**NEW SECTION.** Sec. 33. If any residence is under mortgage or purchase contract requiring accumulation of reserves out of which the holder of the mortgage or contract is required to pay real estate taxes, said holder shall co-sign the declaration of deferral either before a notary public or the county assessor or his deputy in the county where the real property is located.

**NEW SECTION.** Sec. 34. Whenever a person's special assessment and/or real property tax obligation is deferred under the provisions of this chapter, it shall become a lien in favor of the state upon his property and shall have priority as provided in chapters 35.50 and 84.60 RCW: PROVIDED, That the interest of a mortgage or purchase contract holder who is required to co-sign a declaration of deferral under section 33 of this act, shall have priority to said deferred lien. This lien may accumulate up to eighty percent of the amount of the claimant's equity value in said property and shall bear interest at eight percent per year until said obligation becomes due and payable under section 37 of this act.

**NEW SECTION.** Sec. 35. The county assessor shall:

(1) Transmit one copy of each declaration to defer to the department of revenue. The department may audit any declaration and shall, not later than August 31st, notify the assessor of any claim where any factor appears to disqualify the claimant for the deferral sought.

(2) Transmit one copy of each declaration to defer a special assessment to the local improvement district which imposed such assessment.

(3) After October 15th, compute the dollar tax rate for the county as if any deferrals provided by this chapter did not exist.

(4) On or before December 15th, notify the department of revenue and the county treasurer of the amount of real property taxes deferred for that year and notify the department of revenue and the respective treasurers of municipal corporations of the amount of special assessments deferred for each local improvement district within such unit.

**NEW SECTION.** Sec. 36. Upon receipt of the notification from the county assessor of the amount of deferred special assessments and/or real property taxes the department shall certify to the state treasurer the amount due the respective municipal corporations prior to the following February 15th and the state treasurer shall pay to the treasurers of such municipal corporations said amounts, equivalent to the amount of special assessments and/or real property taxes deferred, to be distributed to the local improvement or taxing districts which levied the taxes so deferred.

**NEW SECTION.** Sec. 37. Special assessments and/or real property tax obligations deferred under this chapter shall become payable together with interest as provided in section 34 of this amendatory act:

(1) Upon the sale of property which has a deferred special assessment and/or real property tax lien upon it.

(2) Upon the death of the claimant with an outstanding deferred special assessment and/or real property tax lien except a surviving spouse who is qualified under this chapter may elect to incur the special

assessment and/or real property tax lien which shall then be payable by that spouse as provided in this section.

(3) Upon the condemnation of property with a deferred special assessment and/or real property tax lien upon it by a public or private body exercising eminent domain power, except as otherwise provided in RCW 84.60.070.

(4) At such time as the claimant ceases to reside permanently in the residence upon which the deferral has been granted.

(5) Upon the failure of any condition set forth in section 27 of this amendatory act.

**NEW SECTION.** Sec. 38. (1) The county treasurer shall collect all the amounts deferred together with interest under this chapter, in the manner provided for in chapter 84.56 RCW. For purposes of collection of deferred taxes, the provisions of chapters 84.56, 84.60, and 84.64 RCW shall be applicable.

(2) When any deferred special assessment and/or real property taxes together with interest are collected the moneys shall be credited to a special account in the county treasury. The county treasurer shall remit the amount of deferred special assessment and/or real property taxes together with interest to the state treasurer, with a remittance advice to the department.

(3) The state treasurer shall deposit the deferred taxes in the state general fund.

**NEW SECTION.** Sec. 39. (1) A surviving spouse of the claimant may elect to continue the property in its deferred tax status if the property is the residence of the spouse of the claimant and meets the requirements of this chapter.

(2) The election under this section to continue the property in its deferred status by the spouse of the claimant shall be filed in the same manner as an original claim for deferral is filed under this chapter, not later than ninety days from the date of the claimant's death. Thereupon, the property with respect to which the deferral of special assessments and/or real property taxes is claimed shall continue to be treated as deferred property. When the property has been continued in its deferred status by the filing of the spouse of the claimant of an election under this section, the spouse of the claimant may continue the property in its deferred status in subsequent years by filing a claim under this chapter so long as the spouse meets the qualifications set out in this section.

**NEW SECTION.** Sec. 40. Any person may at any time pay a part or all of the deferred taxes but such payment shall not affect the deferred tax status of the property.

**NEW SECTION.** Sec. 41. Nothing in this chapter is intended to or shall be construed to prevent the collection, by foreclosure, of personal property taxes which become a lien against tax-deferred property.

**NEW SECTION.** Sec. 42. The department of revenue of the state of Washington shall devise the forms and make rules and regulations consistent with chapter 34.04 RCW and the provisions of this chapter as shall be necessary or desirable to permit its effective administration.

**NEW SECTION.** Sec. 43. There is added to Title 84 RCW a new chapter to consist of sections 25 through 42 of this amendatory act."

Renumber the remaining sections consecutively.

Representatives Erickson, Moon and Hurley (George) spoke in favor of the amendment to the committee amendment, and it was adopted.

The Speaker called on Mr. O'Brien to preside.

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "In connection with the point of order raised by Representative Pardini in regard to the amendment by Representative Charnley to page 7, the Speaker finds the point of order to be well taken. The amendment is ruled out of order."

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment as amended.

The amendment as amended was adopted.

Mr. Randall moved adoption of the committee amendment to the title.

On motion of Mrs. Erickson, the following amendment to the title amendment was adopted:

On page 32 of the title amendment, line 33 after "84.36 RCW;" and before "repealing" insert "adding a new chapter to Title 84 RCW;"

The committee amendment to the title as amended was adopted.

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2736 as amended by the House be placed on final passage.

Representatives Eikenberry and Moon spoke against the motion, and the motion was lost.

Engrossed Substitute Senate Bill No. 2736 as amended by the House was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m. Tuesday, June 3, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-SECOND DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, June 3, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Blair, Curtis, Kilbury, Kuehnle, Maxie, Nelson and Perry. Representatives Blair, Curtis, Kilbury, Kuehnle, Nelson and Perry were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Maidee Watson and Erik Lampi, Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGE FROM THE GOVERNOR

June 2, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 2, 1975, Governor Evans approved the following House Bills, entitled;

SUBSTITUTE HOUSE BILL NO. 62: Authorizing a service charge for county ambulance service.

HOUSE BILL NO. 265: Consolidating the appropriation process for support of teachers' retirement benefits.

HOUSE BILL NO. 314: Providing for the transfer of funds from and the abolishment of the world fair bond redemption fund.

HOUSE BILL NO. 595: Prohibiting certain practices by camping clubs and prescribing penalties.

HOUSE BILL NO. 752: Reaffirming permissible expenses school districts may expend preliminary to finalizing of budgets.

SUBSTITUTE HOUSE BILL NO. 932: Providing assistance for commercial fishermen from impact of a recent court decision.

HOUSE BILL NO. 1031: Reducing number of district court judges in Lincoln county from two to one.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

#### MESSAGES FROM THE SENATE

June 2, 1975

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 511,  
ENGROSSED HOUSE BILL NO. 536,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 2, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 95,  
HOUSE BILL NO. 162,  
SUBSTITUTE HOUSE BILL NO. 294,  
HOUSE BILL NO. 354,

HOUSE BILL NO. 383,  
 SUBSTITUTE HOUSE BILL NO. 428,  
 HOUSE BILL NO. 437,  
 HOUSE BILL NO. 606,  
 SECOND SUBSTITUTE HOUSE BILL NO. 720,  
 HOUSE BILL NO. 733,  
 SUBSTITUTE HOUSE BILL NO. 762,  
 HOUSE BILL NO. 825,  
 HOUSE BILL NO. 1026,  
 HOUSE BILL NO. 1035,  
 HOUSE BILL NO. 1051,  
 SUBSTITUTE HOUSE BILL NO. 1141,  
 HOUSE JOINT MEMORIAL NO. 4,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 2, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2500,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 2, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2401, and the President has appointed as members of said conference committee: Senators Ridder, Grant, Morrison.

Bill Gleason, Assistant Secretary.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed

SUBSTITUTE HOUSE BILL NO. 664,  
 SUBSTITUTE HOUSE BILL NO. 1204,  
 SUBSTITUTE SENATE BILL NO. 2500,

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Blair, Curtis, Kilbury, Kuehnle, Lee, Nelson and Perry. Representatives Adams, Blair, Curtis, Kilbury, Kuehnle, Nelson and Perry were excused.

#### MESSAGES FROM THE SENATE

June 3, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 207,  
 ENGROSSED HOUSE BILL NO. 620,  
 HOUSE JOINT MEMORIAL NO. 24,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 2, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2623, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

May 30, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2408, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Grant, Morrison, Marsh.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. King moved that the House recede from its amendments to Engrossed Substitute Senate Bill No. 2408.

Representatives King, Matthews and Newhouse spoke in favor of the motion, and it carried.

FINAL PASSAGE OF SENATE BILL  
WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2408 without the House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2408 without the House amendments, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bausch, Blair, Brown, Curtis, Deccio, Kilbury, Kuehnle, Lee, Lysen, Nelson, Tilly, Warnke, Whiteside, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2408 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. Amen moved that the House advance to the eighth order of business.

Mr. Amen spoke in favor of the motion, and Mr. Thompson spoke against it.

Mr. Amen spoke again in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion to advance to the eighth order of business, and the motion was lost by the following vote: Yeas, 37; nays, 51; not voting, 10.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Juelling, Laughlin, Leckenby, Lysen, Matthews, May, Moon, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Seeberger, Smith E. P., Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Ehlers, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kalich, King, Knowles, Luders, Martinis, Maxie, McCormick, Moreau, North, O'Brien, Parker, Randall, Savage, Sherman, Shinpoch, Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Brown, Curtis, Douthwaite, Kilbury, Kuehnle, Lee, McKibbin, Nelson, Perry.

## MESSAGE FROM THE SENATE

May 30, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 47, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

May 29, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 47, broadening definition of urban areas eligible for urban arterial funds, have had the same under consideration, and we recommend that the following amendments be adopted in lieu of the Senate amendments on page 1, line 10 and page 1, line 12:

On page 1, line 10 of the engrossed bill, after "approval of" strike "the federal department of the secretary of transportation" and insert "the secretary of the United States department of transportation"

On page 1, line 13 of the printed bill beginning with "as determined" strike all material down to and including "management" on line 14.

Signed by Senators Bottiger, Walgren, Bluechel; Representatives North, Hansen, Gilleland.

## MOTION

On motion of Mr. Hansen, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 47 as amended by the Free Conference Committee.

Mrs. North spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 47 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 76; nays, 10; not voting, 12.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Berentson, Boldt, Bond, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Luders, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Polk, Randall, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bender, Chandler, Charnley, Freeman, Hurley G. S., Lysen, Matthews, Peterson, Valle, Williams.

Not voting: Representatives Adams, Blair, Brown, Curtis, Kilbury, Kuehnle, Lee, Martinis, Nelson, Pardini, Perry, Sherman.

Substitute House Bill No. 47 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

May 30, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 205, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference Committee report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

May 29, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 205, redesignating intermediate school districts with their attendant boards and officials, as educational service districts, have had the same under consideration, and we recommend that the bill do pass with the following changes:

That the Senate amendment to page 107, line 33 be adopted;

That the three Senate amendments to page 11 be not adopted; and that the following amendments be adopted in lieu thereof:

On page 11, line 9, after "in the" strike "number and" and insert "((number and))"

On page 11, following line 18 insert a new paragraph as follows:

"Consistent with the purposes of RCW 28A.21.010 the state board may recommend at any time it deems advisable or upon petition of any educational service district board changes in the number of educational service districts including a proposed equitable adjustment and transfer of the property, assets and liabilities among the educational service districts involved. Prior to recommending changes in the number of educational service districts, the duties and responsibilities of which may be increased or decreased by such proposed changes, the state board shall hold at least one public hearing on such proposed change and shall consider any recommendations thereon: PROVIDED, HOWEVER, That changes in the number of educational service districts shall not be made except with the express approval of the legislature."

Signed by Senators Odegaard, Gould, Stortini; Representatives Bauer, Erickson, Eikenberry.

## MOTION

On motion of Mr. Bauer, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O' Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 205 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 205 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 83; nays, 7; not voting, 8.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Decchio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Gallagher, Hansey, Newhouse, Pardini, Patterson, Polk.

Not voting: Representatives Blair, Curtis, Kilbury, Kuehnle, Lee, Lysen, Nelson, Perry.

Engrossed House Bill No. 205 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 30, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 230 with the following amendments:

On page 1, beginning on line 10 strike all the matter down to and including "required)") on line 17 and insert the following "rubber tires the commission may establish the following recommendations or requirements with respect to the use of such equipment for all persons using such public highway:

(1) Dangerous road conditions, chains (~~or studded tires~~) , or other approved traction devices recommended.

(2) Dangerous road conditions, chains (~~or studded tires~~) , or other approved traction devices required.

(3) Dangerous road conditions, chains required."

On page 1, line 24 after the period add:



"Such signs or traffic control devices shall in no event prohibit the use of studded tires from November 1 to April 1, but when the highway commission determines that chains are required and that no other traction equipment will suffice, such requirement shall be applicable to all types of tires including studded tires. Such signs or traffic control devices may specify different recommendations or requirements for four wheel drive vehicles in gear."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Douthwaite, the House concurred in the Senate amendments to House Bill No. 230.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 230 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 230 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 3; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bausch, Conner, Warnke.

Not voting: Representatives Blair, Curtis, Kilbury, Kuehnle, Lee, Nelson, Perry, and Mr. Speaker.

House Bill No. 230 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

May 30, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 350 with the following amendment:

On page 1, line 30 of the engrossed bill, being the fourth line of the underlined material in the House amendment to the House Committee Amendment, after "amendatory act," insert "either pledged the tax revenues for payment of principal and interest on city revenue or general obligation bonds authorized and issued pursuant to RCW 67.28.150 through 67.28.160 or has" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Randall, the House concurred in the Senate amendment to Engrossed House Bill No. 350.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 350 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 350 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 8; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Boldt, Bond, Brown, Ceccarelli, Chandler, Chatalas, Cochrane, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall,

Savage, Schumaker, Seeberger, Sherman, Shinpoch, Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bausch, Charette, Charnley, Clemente, Conner, Moon, Smith E. P., Williams.

Not voting: Representatives Berentson, Blair, Curtis, Gallagher, Kilbury, Kuehnle, Lee, Nelson, Perry, Smith R., and Mr. Speaker.

Engrossed House Bill No. 350 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

May 30, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 612 with the following amendments:

On page 1, line 25 after "chapter" and before the period insert "not to exceed seventy-five dollars"

On page 2, line 21 after "chapter" insert "not to exceed thirty dollars"

On page 3, line 19 after "chapter" insert "not to exceed thirty dollars"

On page 3, line 33 after "chapter" insert "not to exceed thirty dollars"

On page 4, beginning on line 11 of the engrossed bill, strike all of the material down to and including "chapter." on line 24, being page 4, line 11 of the printed bill, after "amended." strike all of the material down to and including "chapter" on line 23 and the House Committee amendment on page 4, line 15 and insert "Such permits shall expire on the thirtieth day of June of each year. The annual fee for a permit to practice public accounting in this state shall be ((~~twenty-five dollars~~)) in an amount determined by the board in accordance with this chapter not to exceed fifty dollars."

On page 4, line 27 of the engrossed bill, being line 26 of the printed bill, after "payment of" insert "one and one-half times"

On page 4, line 29 of the engrossed bill, being line 28 of the printed bill, after "expiration" and before the period insert ": PROVIDED, That the applicant whose license shall have expired for a period of one year shall have satisfactorily completed a written examination, the contents of which shall be determined by the board, which shall assure the applicant's continued competency"

On page 5, line 2 of the engrossed bill, being line 1 of the printed bill, after "cause" insert ": PROVIDED FURTHER, That the education requirement provided for in subsection (2) shall not apply to licensed public accountants" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Gallagher, the House refused to concur in the Senate amendments, and asked the Senate to recede therefrom.

#### SENATE AMENDMENTS TO HOUSE BILL

May 31, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 867 with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. The proceeds from repayment of any loans made for agricultural water supply facilities and the interest earned from such loans, any gifts, grants, or other funds provided to the state for agricultural water supply facilities, and any interest earned on the interim investment of such funds or proceeds shall be deposited in the state and local improvements revolving account—water supply facilities and shall be used exclusively for agricultural water supply facilities.

NEW SECTION. Sec. 2. The department of ecology is authorized to make loans or grants or combinations thereof to eligible state or federal public bodies for the Second Bacon Siphon and Tunnel with the intent of recovering such funds to the extent feasible. With respect to loans, if any, approved for such purpose, interest rates shall not exceed that interest rate incurred by the state in its most recent sale of general obligation bonds to finance water supply facilities in accordance with this chapter. Such loans, if any, shall be repaid over a period not to exceed fifty years. The director of the department of ecology or his designee is authorized to make contractual agreements in accordance with provisions of this section on behalf of the state of Washington. Contractual agreements may include provisions to secure such loans. No contractual agreement authorized by this section shall be executed by the department of ecology without the review and approval by the department of the project plans and the concurrence of the technical advisory committee, created by section 6 of this act, of the project plans and contractual agreements: PROVIDED, HOWEVER, That no contractual agreement related to the Second Bacon Siphon and Tunnel shall be made under this chapter without prior approval of the ways and means committees of the senate and house of representatives.

**NEW SECTION.** Sec. 3. The department of ecology is authorized to make loans or grants or combinations thereof to eligible public bodies as defined in RCW 43.83B.050 for rehabilitation or betterment of agricultural water supply facilities, and/or construction of agricultural water supply facilities required to develop new irrigated lands. The department of ecology may make such loans or grants or combinations thereof as matching funds in any case where federal, local, or other funds have been made available on a matching basis. A loan or combination loan and grant shall not exceed fifty percent of the approved eligible project costs for any single proposed project. Any grant or grant portion of a combination loan and grant for any single proposed project shall not exceed fifteen percent of the eligible project costs.

**NEW SECTION.** Sec. 4. Loans or the loan portions of combination loans and grants shall be repayable with interest at rates established by the department of ecology and the technical advisory committee, but in no event shall the interest rates exceed that interest rate incurred by the state in its most recent sale of general obligation bonds to finance water supply facilities in accordance with this chapter. Such loans shall be repaid over a period not to exceed fifty years.

**NEW SECTION.** Sec. 5. In addition to the powers granted by sections 2 and 3 of this act, the director of the department of ecology or his designee is authorized to make contractual agreements in accordance with provisions of this chapter on behalf of the state of Washington. Contractual agreements shall include provisions to secure such loans, and shall assure the proper and timely payment of said loans or loan portions of combination loans and grants.

**NEW SECTION.** Sec. 6. There is hereby created a technical advisory committee whose purposes shall be to assist the department of ecology in:

- (1) Establishing criteria to determine project feasibility;
- (2) Reviewing and considering proposed projects for loans or grants or combinations thereof;
- (3) Developing criteria and standards based upon project feasibility for determining among potential projects those which will receive funding assistance;
- (4) Approving or disapproving projects for funding assistance; and
- (5) Establishing for each loan the rate of interest for use of loaned capital and determining the repayment period for each loan. No project shall be approved for funding without the concurrence of the technical advisory committee.

**NEW SECTION.** Sec. 7. The technical advisory committee created by section 6 of this act shall be composed of seven members as follows:

- (1) The director of the department of ecology or his appointed representative;
- (2) The director of the department of agriculture or his appointed representative;
- (3) One member designated by the Washington state association of irrigation districts;
- (4) One member designated by the Washington state reclamation association;
- (5) The dean of the college of agriculture, Washington state university, or his appointed representative;
- (6) One member designated by the Washington state association of soil conservation districts; and
- (7) One member, not a state employee, appointed by the director of the department of ecology, at or before the second meeting of the technical advisory committee, with concurrence of the majority of the technical advisory committee members. The term for such member shall be three years: PROVIDED, That such member may be reappointed with the concurrence of the majority of the technical advisory committee members.

The appropriate authorities of the United States bureau of reclamation, the United States soil conservation service, and the state office of program planning and fiscal management shall each be asked to designate one ex officio member who shall not be eligible to vote or be the technical advisory committee chairman. In addition, the president of the senate shall appoint one member of the senate from each major political party and the speaker of the house of representatives shall appoint one member of the house of representatives from each major political party who shall also serve for a two-year term as ex officio members who shall not be eligible to vote or be the technical advisory committee chairman. The members of the legislature, who serve as ex officio members, shall collect data for reports to the agricultural committees of the senate and house of representatives and for future legislative proposals, and shall be deemed engaged in legislative business while in attendance upon the business of the technical advisory committee and shall be limited to such allowances therefor as provided in chapter 43.03 RCW. Members of the technical advisory committee shall serve until replaced by their sponsoring entities, except for the member provided for in subsection (7) of this section.

The director of the department of ecology shall be responsible for calling the first meeting of the technical advisory committee and the director or his designee shall act as temporary chairman. At such meeting the committee shall elect its own chairman. Representatives of the departments of ecology and agriculture shall never be eligible to serve as chairman. Chairmen will serve one year terms. The committee shall have authority to establish its own rules and to set times and places of meetings. Staff support for the committee shall be provided by the department of ecology.

Members of the technical advisory committee who are not regular full time employees of a public agency or institution or elected members of the legislature shall serve without compensation but shall be reimbursed for travel and other expenses in the same manner as provided for state officials generally in chapter 43.03 RCW as now or hereafter amended.

**NEW SECTION.** Sec. 8. The department of ecology and the technical advisory committee shall develop criteria for project evaluation and shall submit them to the standing ways and means committees of the senate and house of representatives, which committees shall approve or disapprove the criteria as being within the intent of this chapter, and no commitment or disbursement whatever shall be made under

the authority of this act until such criteria shall have been approved. Subsequently, the department of ecology and the technical advisory committee annually shall submit a report to the ways and means committees of the senate and house of representatives for their review and comment.

**NEW SECTION. Sec. 9.** The department of ecology and the technical advisory committee shall establish and announce, with adequate public notice, both an application period and a schedule to consider proposed projects.

**NEW SECTION. Sec. 10.** Upon receiving applications the department of ecology shall determine whether all other available funds will be utilized to the maximum extent possible. Prior to any commitment of funds a feasibility report for each proposed project shall be submitted to the department of ecology and the technical advisory committee. This report shall contain sufficient data to demonstrate the project's engineering, economic, and financial feasibility. Any proposed project shall have a benefit-cost ratio greater than one in order to be economically feasible. Applications and supporting reports shall be evaluated on the basis of the established criteria.

**NEW SECTION. Sec. 11.** At least once a year the department of ecology and the technical advisory committee shall, through a competitive selection process, make a preliminary selection of those projects which will receive funding assistance. Within ninety days after the preliminary selection of the projects the department of ecology and the technical advisory committee, after providing adequate public notice to all interested parties, shall conduct a public hearing on the selected projects. After the public hearing the department of ecology and the technical advisory committee shall make the final selection of projects to be funded.

Proposed projects not selected for funding assistance may be considered during a subsequent funding period following petition by the applicants.

**NEW SECTION. Sec. 12.** Upon final selection of a project for funding assistance letters of intent may obligate appropriated funds subject to the execution of a contract within a period not to exceed two years from the date of the letter. Before a contractual agreement is made the department of ecology and the technical advisory committee must be satisfied that the nonstate share of any project financing has been assured.

**NEW SECTION. Sec. 13.** The department of ecology and the technical advisory committee shall consider requests from existing public bodies operating irrigation systems for emergency loans to assist in the repair or replacement of systems rendered inoperable or impaired by some natural disaster. The department of ecology and the technical advisory committee may make such loans: **PROVIDED**, That contractual agreements are provided to assure proper and timely repayment: **PROVIDED FURTHER**, That emergency loans must be necessary to insure the timely and adequate delivery of water for the current or ensuing irrigation season.

**NEW SECTION. Sec. 14.** In the course of considering applications under this chapter, the department of ecology shall make known to other state agencies possibilities which may arise to provide public benefits such as recreation or fish and wildlife enhancement in connection with proposed projects. Such agencies, including the department of ecology, are authorized to participate in said projects provided agency funds are made available to pay the full cost of their participation.

**NEW SECTION. Sec. 15.** Commitments and expenditures undertaken or incurred by the department of ecology for agricultural water supply facilities pursuant to this chapter prior to the effective date of this act shall not be subject to the provisions of sections 1 through 14 of this act.

Section 2 of this act shall apply only to the Second Bacon Siphon and Tunnel.

Section 3 through 14 shall not apply to the Second Bacon Siphon and Tunnel except for the duties of the technical advisory committee set forth in section 2 of this act.

**NEW SECTION. Sec. 16.** There is hereby appropriated to the department of ecology from the general fund—state and local improvements revolving account—water supply facilities (appropriated pursuant to chapter 128, Laws of 1972 ex. sess.—Referendum 27) for the biennium ending June 30, 1977, the sum of \$164,202, or so much thereof as shall be necessary, for administration and planning of agricultural water supply projects.

**NEW SECTION. Sec. 17.** If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 18.** Sections 1 through 15 of this act shall be added to chapter 43.83B RCW.

**NEW SECTION. Sec. 19.** This 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."

On page 1, beginning on line 1 of the title after "Relating" strike the remainder of the title and insert "to agricultural water supply facilities; making designations of funds; setting forth guidelines; adding new sections to chapter 43.83B RCW; making an appropriation; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTIONS

Mr. Shinpoch moved that the House do not concur in the Senate amendments to Substitute House Bill No. 867, and ask the Senate to recede therefrom.

Mr. Flanagan moved that the House do concur in the Senate amendments.

Representatives Flanagan, Tilly, Hansen and Newhouse spoke in favor of the motion to concur, and Representative Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to Substitute House Bill No. 867, and the motion was lost by the following vote: Yeas, 34; nays, 53; not voting, 11.

Voting yea: Representatives Adams, Amen, Barnes, Berentson, Boldt, Bond, Chandler, Clemente, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansen, Hansey, Hayner, Jueling, Kalich, Leckenby, Martinis, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Cochrane, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, King, Knowles, Laughlin, Luders, Lysen, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

Not voting: Representatives Blair, Curtis, Douthwaite, Kilbury, Kuehnie, Lee, Matthews, Nelson, Perry, Randall, and Mr. Speaker.

The Speaker (Mr. O'Brien presiding) stated that the House by its action had refused to concur in the Senate amendments to Substitute House Bill No. 867, and asked the Senate to recede therefrom.

#### SENATE AMENDMENT TO HOUSE BILL

May 31, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 144 with the following amendment:

On page 2, line 16 after "~~director~~")" strike the remainder of the subsection and insert "The license or permit to drive or any nonresident privilege to drive of any person convicted under this section or any local ordinance consisting of substantially the same language as this section of failure to stop and give information or render aid following an accident with any vehicle driven or attended by any person shall be revoked by the department."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Smith (Rick), the House concurred in the Senate amendment to Engrossed House Bill No. 144.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 144 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 144 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 2; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Chatalas, Conner.

Not voting: Representatives Blair, Curtis, Eikenberry, Greengo, Kilbury, Kuehnie, Lee, Matthews, Nelson, Perry, and Mr. Speaker.

Engrossed House Bill No. 144 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

May 31, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1043 with the following amendment:

On page 2, line 15 of the engrossed bill, being line 4 of the second paragraph of the House Committee amendment to page 1, line 24, after "workman's" insert "written" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Savage, the House concurred in the Senate amendment to Engrossed House Bill No. 1043.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 1043 as amended by the Senate.

Mr. Savage spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1043 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilletland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Blair, Ceccarelli, Curtis, Eikenberry, Kilbury, King, Kuehnl, Lee, Nelson, Perry, Whiteside, and Mr. Speaker.

Engrossed House Bill No. 1043 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## EXPLANATION OF VOTE

My voting button malfunctioned and failed to record my vote. I wish to be recorded as voting "Yea" on Engrossed House Bill No. 1043.

DAVE CECCARELLI, 34th District.

## SENATE AMENDMENTS TO HOUSE BILL

May 30, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1077 with the following amendments:

On line 1 of the title after "code;" insert "and amending section 5, chapter 96, Laws of 1974 1st ex. sess. and RCW 19.27.060;"

On page 1, line 7, after "70.87," insert "48.48, 18.20, 18.46, 18.51, 28A.02, 28A.04, 70.41, 70.62, 70.75, 70.108, 71.12, 74.15"

On page 1, line 9 insert a section as follows:

"Sec. 2. Section 6, chapter 96, Laws of 1974 1st ex. sess. and RCW 19.27.060 are each amended to read as follows:

(1) Except as permitted or provided otherwise under the provisions of RCW 19.27.040 and subsections (3) and (4) of this section, the state building code supersedes all county, city or town building regulations containing less than the minimum performance standards and objectives contained in the state building code.

(2) Except as permitted or provided otherwise under the provisions of RCW 19.27.040 and subsections (3) and (4) of this section, the state building code shall be applicable to all buildings and structures including those owned by the state or by any other governmental subdivision.

(3) The governing body of each city, town or county may limit the application of any rule or regulation or portion of the state building code to include or exclude specified classes or types of buildings or structures, according to use, occupancy, or such other distinctions as may make differentiation or separate

classification or regulation necessary, proper, or desirable: PROVIDED, That in no event shall fruits or vegetables of the tree or vine stored in buildings or warehouses, constitute combustible stock for the purposes of application of the uniform fire code.

(4) The provisions of this chapter shall not apply to any building four or more stories high with an F occupancy as defined by the uniform building code, chapter 5, 1973 edition, and with a fire insurance classification rating of 1, 2, or 3 as defined by a recognized fire rating bureau or organization." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Haussler, the House concurred in the Senate amendments to House Bill No. 1077.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1077 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1077 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 1; not voting, 12.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Pardini.

Not voting: Representatives Blair, Curtis, Douthwaite, Kilbury, Kuehne, Lee, Nelson, Parker, Perry, Randall, Valle, and Mr. Speaker.

House Bill No. 1077 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SENATE AMENDMENTS TO HOUSE BILL

May 31, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1178 with the following amendments:

On page 1, line 3 of the title strike "making an appropriation;"

On page 2, strike all of section 5 and renumber the remaining sections consecutively. and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Ms. Sommers, the House concurred in the Senate amendments to Substitute House Bill No. 1178.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1178 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1178 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith

E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Blair, Curtis, Douthwaite, Kilbury, Kuehnle, Lee, Moon, Nelson, Perry, Randall, and Mr. Speaker.

Substitute House Bill No. 1178 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House advanced to the sixth order of business.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 198 as amended by the Senate, by Committee on Financial Institutions (Originally sponsored by Representatives Ceccarelli, Bagnariol, Deccio and Pardini):

Amending the insurance code.

The bill was read the second time. (For previous action, see Journal, Seventy-fourth Day ex. sess., May 26, 1975.)

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendment, see Journal, Seventy-fifth Day ex. sess., May 27, 1975.)

#### MOTION

Mr. Ceccarelli moved that the House concur in all the Senate amendments except the amendment on page 6, adding a new section 10 and ask the Senate to recede therefrom.

Representatives Ceccarelli, Parker and Haley spoke in favor of the motion, and the motion was carried.

HOUSE BILL NO. 1033, by Representatives Newhouse, Flanagan, Jastad and Haley:

Providing for two-year probationary period for certificated employees with special hearing procedure upon nonrenewal of contract.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Mrs. Valle moved adoption of the following amendment:

On page 2, line 8 after "period of" strike "two years" and insert "one year"

Representatives Valle and Fortson spoke in favor of the amendment, and Representatives Newhouse, Hayner and Haley spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Valle to page 2, line 8 of House Bill No. 1033, and the amendment was adopted by the following vote: Yeas, 45; nays, 44; not voting, 9.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Clemente, Cochrane, Douthwaite, Ehlers, Eng, Fortson, Gaines, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, King, Laughlin, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Chandler, Charnley, Deccio, Dunlap, Eikenberry, Erickson, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Knowles, Leckenby, Luders, Matthews, May, Newhouse, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Smith R., Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Blair, Chatalas, Conner, Curtis, Fischer, Kuehnle, Lee, Nelson, Perry.

Mrs. Valle moved adoption of the following amendment:

On page 2, following line 18 of the printed bill, strike all remaining language on page 2 of the printed bill, including the committee amendment to page 2, line 21 and insert the following:

"(2) That the procedures for notice, hearing, decision and appeal shall be the same as those applicable to nonrenewal of contracts for employees not subject to such evaluation period.

The provisions of this chapter, and those of RCW 28A.58.445 through .518, applicable to actions adversely affecting an employee's contract status, shall be fully applicable to employees subject to such evaluation period.



Within fifteen days of the establishment of such evaluation period, the board of directors of each school district shall transmit copies of the rules and regulations applicable thereto, to the superintendent of public instruction."

Mrs. Valle spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Valle to page 2, following line 18 of House Bill No. 1033, and the amendment was not adopted by the following vote: Yeas, 36; nays, 49; not voting, 13.

Voting yea: Representatives Adams, Becker, Bender, Brown, Ceccarelli, Charette, Charnley, Cochrane, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, King, Lysen, Martinis, Maxie, North, O'Brien, Parker, Savage, Seeberger, Sherman, Sommers, Thompson, Valle, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Berentson, Boldt, Bond, Chandler, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Knowles, Laughlin, Leckenby, Luders, Matthews, May, McCormick, McKibbin, Moreau, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Randall, Schumaker, Shipoch, Smith R., Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bausch, Blair, Chatalas, Clemente, Conner, Curtis, Kuehnle, Lee, Moon, Nelson, Perry, Smith E. P., Warnke.

Mrs. Valle moved adoption of the following amendment:

On page 4, following line 10 of the printed copy of the bill, strike sections 2 and 3.

Mrs. Valle spoke in favor of the amendment, and Mr. Newhouse spoke against it.

Mrs. Valle closed debate, again speaking in favor of the amendment.

The amendment was not adopted.

The Clerk read the following amendment by Representatives Luders, Hayner, Barnes and Hurley (Margaret):

On page 2, following line 12 insert a new subsection to read as follows:

"(1) That such probationary period shall apply to the employment of a certificated employee as an administrator whether or not such employee has already completed a probationary period as a classroom teacher, and that for the purposes of this subsection the term 'administrator' shall mean any certificated employee, other than the district's chief administrative officer, who is employed primarily to perform duties other than classroom instruction;"

Renumber the remaining subsections consecutively.

#### POINT OF ORDER

Mr. Hansey raised the question of scope and object on the amendment.

#### MOTION

Mr. Luders moved that the rules be suspended to allow consideration of the amendment.

Mr. Luders spoke in favor of the motion, and Mr. Lysen spoke against it.

Mr. Thompson demanded an electric roll call on the motion, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules to allow consideration of the amendment by Representative Luders and others to House Bill No. 1033, and the motion was carried by the following vote: Yeas, 78; nays, 11; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Deccio, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cochrane, Ehlers, Eng, Hawkins, Jastad, Lysen, Moon, Seeberger, Sherman, Williams, Wojahn.

Not voting: Representatives Blair, Curtis, Douthwaite, Freeman, Kuehnle, Lee, Nelson, Perry, Randall.

On motion of Mr. Luders, the amendment was adopted.

## STATEMENT FOR THE JOURNAL

I wished to vote "Yes" on the motion by Mr. Luders to suspend the rules to allow consideration of the Luders amendment.

KEMPER FREEMAN, 48th District.

On motion of Mr. Luders, the following amendment by Representatives Luders, Hayner, Barnes and Hurley (Margaret) was adopted:

On page 5, following line 9 strike all of section 4 (being the floor amendment by Representatives Barnes and Hurley M.) and renumber the remaining section consecutively.

## MOTION FOR RECONSIDERATION

Mr. Ceccarelli, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Valle to page 2, line 8 was adopted.

Representatives Ceccarelli, Newhouse, Hurley (Margaret) and Charnley spoke in favor of the motion, and Mrs. Valle spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the Valle amendment to page 2, line 8 was adopted, and the motion was carried by the following vote: Yeas, 49; nays, 42; not voting, 7.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Ceccarelli, Chandler, Charnley, Chatalas, Deccio, Douthwaite, Dunlap, Eikenberry, Erickson, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Kalich, King, Leckenby, Matthews, May, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Smith R., Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Brown, Charette, Clemente, Cochrane, Conner, Ehlers, Eng, Fischer, Fortson, Gaines, Gaspard, Hanna, Hawkins, Kilbury, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Blair, Curtis, Kuehnle, Lee, Nelson, Perry.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the amendment by Representative Valle to page 2, line 8.

Mrs. Valle spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Valle to page 2, line 8 of House Bill No. 1033, and the amendment was not adopted by the following vote: Yeas, 40; nays, 52; not voting, 6.

Voting yea: Representatives Adams, Bauer, Bausch, Becker, Bender, Boldt, Brown, Charette, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eng, Fischer, Fortson, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Kilbury, Laughlin, Lysen, Martinis, Maxie, McKibbin, Moon, Moreau, O'Brien, Savage, Seeberger, Sherman, Smith E. P., Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Berentson, Bond, Ceccarelli, Chandler, Charnley, Deccio, Douthwaite, Dunlap, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, King, Knowles, Leckenby, Luders, Matthews, May, McCormick, Newhouse, North, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Shipoch, Smith R., Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Blair, Curtis, Kuehnle, Lee, Nelson, Perry.

House Bill No. 1033 was ordered engrossed.

## MOTIONS

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 1033 be placed on final passage.

Mr. Pardini moved that House Concurrent Resolution No. 35 be made a special order of business at 3:35 p.m.

Mr. Pardini spoke in favor of the motion.

## MOTION

Mr. Charette moved that the motion by Mr. Pardini be laid on the table, and a division was called for.

## ROLL CALL

The Clerk called the roll on the motion by Representative Charette to table the Pardini motion, and the motion was tabled by the following vote: Yeas, 57; nays, 34; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, McKibbin, Moreau, North, O'Brien, Parker, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Juelling, Leckenby, Lysen, Matthews, Moon, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Bausch, Blair, Curtis, Kuehnle, Lee, Nelson, Perry.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to suspend the rules and advance Engrossed House Bill No. 1033 to third reading and final passage.

Mr. Pardini spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed House Bill No. 1033 to third reading and final passage, and the motion failed to receive the two-thirds majority by the following vote: Yeas, 57; nays, 33; not voting, 8.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Bond, Ceccarelli, Chandler, Charnley, Deccio, Douthwaite, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Freeman, Gallagher, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Matthews, May, McCormick, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Savage, Schumaker, Smith E. P., Smith R., Sommers, Tilly, Whiteside, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Bausch, Becker, Bender, Boldt, Brown, Charette, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eng, Fortson, Gaines, Gaspard, Hanna, Hawkins, Hurley G. S., Kalich, Lysen, Martinis, Maxie, McKibbin, Moon, Moreau, Seeberger, Sherman, Thompson, Valle, Warnke, Williams, Wojahn.

Not voting: Representatives Bagnariol, Blair, Curtis, Kuehnle, Lee, Nelson, Perry, Shipoch.

Engrossed House Bill No. 1033 was passed to Committee on Rules for third reading.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) announced the appointment of the following conferees:

Substitute House Bill No. 693: Representatives North, Haussler, Leckenby;  
Engrossed Senate Bill No. 2840: Representatives Seeberger, Smith (Rick), Deccio;  
Engrossed Senate Bill No. 2341: Representatives McCormick, Parker, Patterson;  
Engrossed Senate Bill No. 2090: Representatives Bauer, Bender, Hayner;  
Engrossed Senate Bill No. 2381: Representatives Sherman, Erickson, Lee.

## MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Wednesday, June 4, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

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**EIGHTY-THIRD DAY**


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**MORNING SESSION**


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House Chamber, Olympia, Wash., Wednesday, June 4, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Curtis, Eng, Jastad, Kalich, Kuehne, Nelson and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Hebert and John Welch. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

June 3, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 344,  
ENGROSSED HOUSE BILL NO. 578,  
ENGROSSED HOUSE BILL NO. 707,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 3, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 664,  
SUBSTITUTE HOUSE BILL NO. 1204,  
SUBSTITUTE SENATE BILL NO. 2408,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. Charette presiding) called the House to order.

**MOTION**

On motion of Mr. Thompson, the House recessed until 2:00 p.m.

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**AFTERNOON SESSION**


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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Blair, Curtis, Kalich, Kuehne, Maxie and Nelson, who were excused.

**MESSAGE FROM THE SENATE**

June 2, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 32, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 2, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 32 as amended by the Senate, conforming state minimum wage laws to federal laws, have had the same under consideration, and we recommend that the Senate amendments to page 4, line 8 and page 4, line 15 be adopted.

We further report that we cannot agree on the Senate amendments to page 6, line 26; page 6, beginning on line 27; and page 1, line 6 of the title.

We, therefore, respectfully request powers of Free Conference for the purpose of submitting amendments.

Signed by Senators Ridder, Morrison, Wilson; Representatives Savage, Parker.

## MOTION

Mr. Parker moved that the House adopt the report of the Conference Committee and grant the committee the powers of Free Conference.

## ROLL CALL

The Clerk called the roll on the motion to grant the Conference Committee the powers of Free Conference on Engrossed Substitute House Bill No. 32, and the motion was carried by the following vote: Yeas, 56; nays, 25; not voting, 17.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Charette, Charnley, Clemente, Cochrane, Douthwaite, Eng, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kilbury, King, Laughlin, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Paris, Parker, Perry, Savage, Seeberger, Sherman, Shinpoche, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Barnes, Bond, Brown, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Jueling, Leckenby, Lee, Matthews, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Blair, Chatalas, Conner, Curtis, Ehlers, Erickson, Hendricks, Kalich, Knowles, Kuehnle, Luders, Maxie, Nelson, North, Randall, Smith R., and Mr. Speaker.

## MESSAGES FROM THE SENATE

June 4, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 796 with the Senate amendments to page 1, line 9; page 1, line 15, after "account" and page 1, line 10, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 4, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2092, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

May 31, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 154 with the following amendments:

In the title, page 1, line 1, strike everything after "AN ACT" down to the period on line 6 and insert "Relating to charitable solicitations; and amending section 21, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.210"

Strike everything after the enacting clause and insert:

"Section 1. Section 21, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.210 are each amended to read as follows:

(a) Within ninety days following the close of its fiscal year every charitable organization which is required to file a registration statement under RCW 19.09.060 and which has received contributions during the previous fiscal year shall file with the director a financial statement((~~verified by an independent public accountant~~)) containing, but not limited to, the following information:

(1) The gross amount of the contributions pledged and the gross amount collected.

(2) The amount thereof, given or to be given to charitable purposes represented together with details as to the manner of distribution as may be required either by general rule or by specific written request of the director.

(3) The aggregate amount paid and to be paid for the expenses of such solicitation.

(4) The amounts paid to and to be paid to professional fund raisers and solicitors.

(5) Copies of any annual or periodic reports furnished by the charitable organization, of its activities during or for the same fiscal period, to its parent organization, subsidiaries, or affiliates, if any.

(b) The director may prescribe such forms as may be necessary or convenient for the furnishing of such information. In addition, the director may require that within thirty days after the close of any special period of solicitation the charitable organization conducting such solicitation shall file a special report containing the information specified in this section for such special period of solicitation." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Warnke moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 154, and ask the Senate for a conference thereon.

Representatives Warnke and Dunlap spoke in favor of the motion, and it was carried.

#### MESSAGE FROM THE SENATE

June 2, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 173, and has granted said committee the powers of Free Conference.

Sydney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 2, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 173, requiring school board directors when making available rules regarding pupil conduct, discipline, and rights to spell out rights and authority of teachers, have had the same under consideration, and we report that we have been unable to agree and respectfully request the powers of Free Conference in order to make the following recommendations:

That the Senate amendment adding three new sections following section 1 be adopted; that the conforming title amendment to line 3 of the title be adopted; that the Senate amendment to lines 22 and 23 not be adopted; and that the following amendment be adopted:

On page 1, line 20 after "28A.04.132" strike "When" and insert "Commencing with the 1976-77 school year, when"

Signed by Senators Stortini, Gould, Odegaard; Representatives Clemente, Bauer.

#### MOTION

On motion of Mr. Clemente, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SUBSTITUTE HOUSE BILL NO. 207,

SUBSTITUTE HOUSE BILL NO. 511,

HOUSE BILL NO. 536,

HOUSE BILL NO. 620,

HOUSE JOINT MEMORIAL NO. 24,

SUBSTITUTE SENATE BILL NO. 2408.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MESSAGE FROM THE SENATE

June 2, 1975

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 587, and asks the House for a conference thereon, and the President has appointed as members of said conference committee: Senators Walgren, Morrison, Beck.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Ceccarelli, the House granted the request of the Senate for a conference on Engrossed House Bill No. 587.

## MOTION

Mr. Pardini moved that the House advance to the eighth order of business.

Representatives Pardini, Amen, Zimmerman, Chandler, Eikenberry, Berentson and Polk spoke in favor of the motion, and Representative Bagnariol spoke against it.

Representative Pardini closed debate, again speaking in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion to advance to the eighth order of business, and the motion was lost by the following vote: Yeas, 34; nays, 55; not voting, 9.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Hurley M., Juelling, Laughlin, Leckenby, Lee, Lysen, Matthews, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kilbury, King, Knowles, Luders, Martinis, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Brown, Curtis, Kalich, Kuehnle, Maxie, Nelson, North, Williams.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Patterson, Laughlin and Ceccarelli as conferees on Engrossed House Bill No. 587.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SUBSTITUTE HOUSE BILL NO. 47,  
HOUSE BILL NO. 144,  
HOUSE BILL NO. 205,  
HOUSE BILL NO. 230,  
HOUSE BILL NO. 344,  
HOUSE BILL NO. 350,  
HOUSE BILL NO. 578,  
HOUSE BILL NO. 707,  
HOUSE BILL NO. 1043,  
HOUSE BILL NO. 1077,  
SUBSTITUTE HOUSE BILL NO. 1178.

## SENATE AMENDMENTS TO HOUSE BILL

May 31, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 962 with the following amendments:

In line 20 of the title after "15.53.9034;" strike "and"

In line 21 of the title after "date" and before the period insert "; and declaring an emergency"

On page 2, line 6 after "provisions of" strike "RCW 15.13.010 through 15.13.950" and insert "chapter 15.13 RCW"

On page 2, line 24 after "provisions of" strike "RCW ((15.48.010)) 15.49.010 through ((15.48.200)) 15.49.940" and insert "((RCW 15.48.010 through 15.48.260)) chapter 15.49 RCW and"

On page 4, line 30 after "dollars" and before the period insert ": PROVIDED, That if such commercial feed is also distributed in packages of less than ten pounds they shall be registered under subsection (b) of this section"

On page 4, line 31 after "1976," strike "any person who distributes" and insert "each annual brand registration for"

On page 4, line 32 after "feed" and before "in" insert "distributed"

On page 4, line 32 after "shall" strike "pay" and insert "be accompanied by"

On page 5, line 6 after "renewable" strike "as provided in (((1)(b) of) this section" and insert "((as provided in (1)(b) of this section))"

On page 5, line 30 after "each" and before "distributor" insert "initial"

On page 6, line 22 after "registrant" and before "who" insert "or initial distributor"

On page 9, line 4 after "provisions of" strike "RCW 15.53.010 through ((15.53.900)) 15.53.9056" and insert "((RCW 15.53.010 through 15.53.900) chapter 15.53 RCW"

On page 10, line 35 after "provisions of" strike "RCW 15.54.010 through ((15.54.250 and 15.54.900)) 15.54.470" and insert "((RCW 15.54.010 through 15.54.250 and 15.54.900) chapter 15.54 RCW"

On page 11, line 20 after "Sec. 13." strike "This 1975 amendatory act" and insert "This 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"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendments to House Bill No. 962.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 962 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 962 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Jueling, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Curtis, Kalich, Kuehnle, Maxie, Nelson, North, Paris, Polk.

House Bill No. 962 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

June 2, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 675, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the report of the Free Conference Committee, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

June 2, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 675, regulating the receipt of unanticipated funds, have had the same under consideration, and we recommend that the bill be amended to read as follows:

Strike all material after the enacting clause and insert the following:



"Section 1. Section 43.09.310, chapter 8, Laws of 1965 as amended by section 2, chapter 170, Laws of 1971 ex. sess. and RCW 43.09.310 are each amended to read as follows:

The state auditor, through the division of departmental audits, shall make a post-audit of every state department at such reasonable periodic intervals as he shall determine but in each case an audit shall be conducted every two years. A report shall be made of each post-audit upon completion thereof, ~~((shall be made in sextuplet))~~ and one copy shall be transmitted to the governor, one to the director of the office of program planning and fiscal management, one to the attorney general, one to the state department audited, one to the legislative budget committee, one each to the standing committees on ways and means of the house and senate, one to the chief clerk of the house, one to the secretary of the senate, and at least one shall be kept on file in the office of the state auditor.

Sec. 2. Section 43.62.050, chapter 8, Laws of 1965 and RCW 43.62.050 are each amended to read as follows:

The board shall develop and maintain student enrollment forecasts of Washington schools, including both public and private, elementary schools, junior high schools, high schools, colleges and universities. The board shall submit reports on such forecasts to the governor ~~(and to)~~, the legislative budget committee, and the standing committees on ways and means of the house and the senate on or before the fifteenth day of November of each even-numbered year.

Sec. 3. Section 43.79.270, chapter 8, Laws of 1965 as amended by section 2, chapter 144, Laws of 1973 and RCW 43.79.270 are each amended to read as follows:

(1) Whenever any money, from the federal government, or from other sources, is expected to be available for expenditure and which was not anticipated in the budget approved by the legislature ~~((has actually been received))~~ and is designated to be spent for a specific purpose, the head of any department, agency, board, or commission through which such expenditure shall be made is to submit to the governor a statement ~~((which may be in the form of a request for an allotment amendment))~~ setting forth the facts constituting the need for such expenditure and the estimated amount to be expended ~~((PROVIDED, That no expenditure shall be made in excess of the actual amount received, and no money shall be expended for any purpose except the specific purpose for which it was received)).~~ A copy of any proposal submitted to the governor to expend money ~~((from an appropriated fund or account in excess of appropriations provided by law))~~ which is based on the receipt of unanticipated revenues shall be submitted to the legislative budget committee and ~~((also))~~ to the standing committees on ways and means of the house and senate ~~((if the legislature is in session))~~ at the same time as it is transmitted to the governor.

(2) If the governor approves such estimate in whole or in part, he shall endorse on each copy of the statement his approval, together with a statement of the amount recommended for expenditure, and transmit one copy to the legislative budget committee. The committee staff shall compile such expenditure recommendations and periodically submit them for legislative consideration and disposition as set forth in section 12 of this 1975 amendatory act. The committee staff shall also prepare and submit appropriate recommendations as to legislative disposition on each proposal for additional spending recommended by the governor pursuant to this section. The committee shall advise the office of program planning and fiscal management, the affected state agency, and the standing committees on ways and means of the house and senate of all actions on spending proposals recommended by the governor under the terms of this section.

NEW SECTION. Sec. 4. There is added to chapter 43.88 RCW a new section to read as follows:

(1) Federal funds available during a fiscal period which were not anticipated relative to appropriations enacted for that fiscal period shall be used in lieu of funds appropriated from state or local revenue sources wherever possible unless prohibited by federal law, rule, regulation, or other restriction. Exceptions to the fund substitution requirements imposed by this subsection may be granted by a favorable majority vote of the standing committees on ways and means of the house and senate while the legislature is in session or has not been in recess for three days or more. At other times, exceptions may be granted by action of the legislative budget committee.

(2) Unanticipated receipts other than those covered by subsection (1) of this section, available during a fiscal period which were not anticipated relative to appropriations enacted for that fiscal period may also be substituted for appropriated funds by direction of either the legislative budget committee or the standing committees on ways and means of the house and senate in the same manner as federal fund substitutions are handled under subsection (1) of this section.

Sec. 5. Section 43.88.090, chapter 8, Laws of 1965 as amended by section 6, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.090 are each amended to read as follows:

For purposes of developing his budget proposals to the legislature, the governor shall have the power, and it shall be his duty, to require from proper agency officials such detailed estimates and other information in such form and at such times as he shall direct. The estimates for the legislature and the judiciary shall be transmitted to the governor and shall be included in the budget. Estimates for the legislature and for the supreme court shall be included in the budget without revision. Copies of all such estimates shall be transmitted to the ~~((legislative budget committee))~~ standing committees on ways and means of the house and senate at the same time as they are filed with the governor and the office of program planning and fiscal management. In the year of the gubernatorial election, the governor shall invite the governor-elect or his designee to attend all hearings provided in RCW 43.88.100; and the governor shall furnish the governor-elect or his designee with such information as will enable him to gain an understanding of the state's budget requirements. The governor-elect or his designee may ask such questions during the hearings and require such information as he deems necessary and may make recommendations in connection with any item of the budget which, with the governor-elect's reasons therefor, shall be presented to the legislature in

writing with the budget document. Copies of all such estimates and other required information shall also be submitted to the ~~((legislative budget committee. The governor shall also invite the legislative budget committee to designate one or more persons to be present at all hearings provided in RCW 43.88.100. The designees of the legislative budget committee may also ask such questions during the hearings and require such information as they deem necessary))~~ standing committees on ways and means of the house and senate.

Sec. 6. Section 43.88.110, chapter 8, Laws of 1965 and RCW 43.88.110 are each amended to read as follows:

Subdivisions (1) and (2) of this section set forth the expenditure programs and the allotment and reserve procedures to be followed by the executive branch.

(1) Before the beginning of the fiscal period, all agencies shall submit to the governor a statement of proposed agency expenditures at such times and in such form as may be required by him. The statement of proposed expenditures shall show, among other things, the requested allotments of appropriations for the ensuing fiscal period for the agency concerned for such periods as may be determined by the budget director for the entire fiscal period. The governor shall review the requested allotments in the light of the agency's plan of work and, with the advice of the budget director, he may revise or alter agency allotments: **PROVIDED**, That revision of allotments shall not be made for ~~((the following:))~~ agencies headed by elective officials ~~((: University of Washington, Washington State University, Central Washington State College, Eastern Washington State College, and Western Washington State College))~~. The aggregate of the allotments for any agency shall not exceed the total of appropriations available to the agency concerned for the fiscal period.

(2) Except for agencies headed by elective officials, ~~((and for institutions for higher education, as provided in this section, the))~~ approved allotments may be revised during the course of the fiscal period in accordance with the regulations issued pursuant to this chapter. If at any time during the fiscal period the governor shall ascertain that available revenues for the applicable period will be less than the respective appropriations, he shall revise the allotments concerned so as to prevent the making of expenditures in excess of available revenues. To the same end, and with the exception stated in this section for allotments involving agencies headed by elective officials ~~((and for institutions for higher education))~~ the governor is authorized to withhold and to assign to, and to remove from, a reserve status any portion of an agency appropriation which in the governor's discretion is not needed for the allotment. No expenditures shall be made from any portion of an appropriation which has been assigned to a reserve status except as provided in this section.

(3) It is expressly provided that all agencies shall be required to maintain accounting records and to report thereon in the manner prescribed in this chapter and under the regulations issued pursuant to this chapter.

Sec. 7. Section 1, chapter 263, Laws of 1971 ex. sess. and RCW 43.88.115 are each amended to read as follows:

Either the legislative budget committee ((is)) or the standing committees on ways and means of the house and senate are authorized and may order reductions in general fund expenditures for other elected public officials and all public educational agencies and their facilities ((except institutions of higher learning)) up to the amount of reductions which are required by agencies under the control of the governor, to the end that while the independence of such elective offices and educational agencies ((except institutions of higher learning)) be assured, necessary measures of economy shall be shared by all agencies concerned with the functions of government.

Sec. 8. Section 43.88.160, chapter 8, Laws of 1965 as last amended by section 11, chapter 40, Laws of 1975 and RCW 43.88.160 are each amended to read as follows:

This section sets forth the major fiscal duties and responsibilities of officers and agencies of the executive branch. The regulations issued by the governor pursuant to this chapter shall provide for a comprehensive, orderly basis for fiscal management and control, including efficient accounting and reporting therefor, for the executive branch of the state government and may include, in addition, such requirements as will generally promote more efficient public management in the state.

(1) Governor; director of program planning and fiscal management. The governor, through his director of program planning and fiscal management, shall devise and supervise a modern and complete accounting system for each agency to the end that all revenues, expenditures, receipts, disbursements, resources and obligations of the state shall be properly and systematically accounted for. The accounting system shall include the development of accurate, timely records and reports of all financial affairs of the state. The system shall also provide for comprehensive central accounts in the office of program planning and fiscal management. The director of program planning and fiscal management may require such financial, statistical and other reports as he deems necessary from all agencies covering any period.

In addition, the director of program planning and fiscal management, as agent of the governor, shall:

(a) Make surveys and analyses of agencies with the object of determining better methods and increased effectiveness in the use of manpower and materials; and he shall authorize expenditures for employee training to the end that the state may benefit from training facilities made available to state employees;

(b) Report to the governor with regard to duplication of effort or lack of coordination among agencies;

(c) Review any pay and classification plans, and changes thereunder, developed by any agency for their fiscal impact: **PROVIDED**, That none of the provisions of this subsection shall affect merit systems of

personnel management now existing or hereafter established by statute relating to the fixing of qualifications requirements for recruitment, appointment, or promotion of employees of any agency. He shall advise and confer with agencies including ~~((the legislative budget committee and the legislative council))~~ appropriate standing committees of the legislature as may be designated by the speaker of the house and the president of the senate regarding the fiscal impact of such plans and may amend or alter said plans, except that for the following agencies no amendment or alteration of said plans may be made without the approval of the agency concerned: Agencies headed by elective officials(~~(University of Washington; Washington State University; Central Washington State College; Eastern Washington State College; Western Washington State College; The Evergreen State College; new, four-year state colleges subsequently authorized; professional education employees of the state board for community college education; and the various state community colleges)~~).

(d) Fix the number and classes of positions or authorized man years of employment for each agency and during the fiscal period amend the determinations previously fixed by him except that he shall not be empowered to fix said number or said classes for the following: Agencies headed by elective officials; ~~((University of Washington; Washington State University; Central Washington State College; Eastern Washington State College; Western Washington State College; The Evergreen State College; new, four-year state colleges subsequently authorized; professional education employees of the state board for community college education; and the various state community colleges;))~~

(e) Promulgate regulations to effectuate provisions contained in subsections (a) through (d) hereof.

(2) The treasurer shall:

(a) Receive, keep and disburse all public funds of the state not expressly required by law to be received, kept and disbursed by some other persons: PROVIDED, That this subsection shall not apply to those public funds of the institutions of higher learning which are not subject to appropriation;

(b) Disburse public funds under his supervision or custody by warrant or check;

(c) Keep a correct and current account of all moneys received and disbursed by him, classified by fund or account;

(d) Perform such other duties as may be required by law or by regulations issued pursuant to this law.

It shall be unlawful for the treasurer to issue any warrant or check for public funds in the treasury except upon forms duly prescribed by the director of program planning and fiscal management. Said forms shall provide for authentication and certification by the agency head or his designee that the services have been rendered or the materials have been furnished; or, in the case of payments for periodic maintenance services to be performed on state-owned equipment, that a written contract for such periodic maintenance services is currently in effect and copies thereof are on file with the office of program planning and fiscal management ~~((and the legislative budget committee))~~; and the treasurer shall not be liable under his surety bond for erroneous or improper payments so made: PROVIDED, That when services are lawfully paid for in advance of full performance by any private individual or business entity other than as provided for by RCW 42.24.035, such individual or entity other than central stores rendering such services shall make a cash deposit or furnish surety bond coverage to the state as shall be fixed in an amount by law, or if not fixed by law, then in such amounts as shall be fixed by the director of the department of general administration but in no case shall such required cash deposit or surety bond be less than an amount which will fully indemnify the state against any and all losses on account of breach of promise to fully perform: such services: AND PROVIDED FURTHER, That no payments shall be made in advance for any equipment maintenance services to be performed more than three months after such payment. Any such bond so furnished shall be conditioned that the person, firm or corporation receiving the advance payment will apply it toward performance of the contract. The responsibility for recovery of erroneous or improper payments made under this section shall lie with the agency head or his designee in accordance with regulations issued pursuant to this chapter.

~~((The auditor's current post-audit of each agency may include a separate section setting forth recommendations to the legislature as provided by subsection (3)(c) of this section:))~~

(3) The state auditor shall:

(a) Report to the legislature the results of current post audits that have been made of the financial transactions of each agency; to this end he may, in his discretion, examine the books and accounts of any agency, official or employee charged with the receipt, custody or safekeeping of public funds. The current post audit of each agency may include a section on recommendations to the legislature as provided in subsection (3)(c) of this section.

(b) Give information to the legislature, whenever required, upon any subject relating to the financial affairs of the state.

(c) Make his official report on or before the thirty-first of December which precedes the meeting of the legislature. The report shall be for the last complete fiscal period and shall include at least the following:

Determinations as to whether agencies, in making expenditures, complied with the laws of this state: PROVIDED, That nothing in \*this act shall be construed to grant the state auditor the right to perform performance audits. A performance audit for the purpose of \*this act shall be the examination of the effectiveness of the administration, its efficiency and its adequacy in terms of the programs of departments or agencies as previously approved by the legislature. The authority and responsibility to conduct such an examination shall be vested in the legislative budget committee as prescribed in RCW 44.28.085 as now or hereafter amended.

(d) Be empowered to take exception to specific expenditures that have been incurred by any agency or to take exception to other practices related in any way to the agency's financial transactions and to cause

such exceptions to be made a matter of public record, including disclosure to the agency concerned and to the director of program planning and fiscal management. It shall be the duty of the director of program planning and fiscal management to cause corrective action to be taken promptly, such action to include, as appropriate, the withholding of funds as provided in RCW 43.88.110.

(e) Shall promptly report any irregularities to the attorney general.

(4) The legislative budget committee may:

(a) Make post audits ~~((of such))~~ of the financial transactions ~~((as it may determine))~~ of any agency and management surveys and program reviews as provided for in RCW 44.28.085 ~~((and))~~ as now or hereafter amended. To this end the committee may in its discretion examine the books ~~((and))~~, accounts, and other records of any agency, official, or employee ~~((charged with the receipt, custody, or safekeeping of public funds)).~~

(b) Give information to the legislature or any legislative committee whenever required upon any subject relating to the ~~((financial affairs of the))~~ performance and management of state agencies.

(c) Make ~~((its official))~~ a report ~~((on or before the thirty-first of December which precedes the meeting of))~~ to the legislature ~~((The report))~~ which shall ~~((be for the last complete fiscal period and shall))~~ include at least the following:

(i) Determinations as to the extent to which agencies in making expenditures have complied with the will of the legislature and in this connection, may take exception to specific expenditures or financial practices of any agencies; and

(ii) Such plans as it deems expedient for the support of the state's credit, for lessening expenditures, for promoting frugality and economy in agency affairs and generally for an improved level of fiscal management ~~((and~~

~~((iii) A report on the efficiency and accuracy of the post audit operations of the state government)).~~

Sec. 9. Section 1, chapter 248, Laws of 1969 ex. sess. and RCW 43.88.195 are each amended to read as follows:

After August 11, 1969, no state agency, state institution, state institution of higher education, which shall include all state universities, state colleges, and community colleges, shall establish any new accounts or funds which are to be located outside of the state treasury: PROVIDED, That the ~~((state budget director))~~ office of program planning and fiscal management shall be authorized to grant permission for the establishment of such an account or fund outside of the state treasury only when the requesting agency presents compelling reasons of economy and efficiency which could not be achieved by placing such funds in the state treasury. When the ~~((state budget director))~~ director of the office of program planning and fiscal management authorizes the creation of such fund or account, he shall forthwith give written notice of the fact to the ~~((legislative budget committee))~~ standing committees on ways and means of the house and senate.

Sec. 10. Section 4, chapter 41, Laws of 1967 ex. sess. as amended by section 3, chapter 17, Laws of 1973 2nd ex. sess. and RCW 43.88.205 are each amended to read as follows:

(1) Whenever an agency makes application, enters into a contract or agreement, or submits state plans for participation in, and for grants of federal funds under any federal law, the agency making such application shall at the time of such action, give notice in such form and manner as the director of program planning and fiscal management ~~((or any successor agency or committee of the legislature))~~ may prescribe, or the chairman of the legislative budget committee, standing committees on ways and means of the house and senate, the chief clerk of the house, or the secretary of the senate may request.

(2) Whenever any such application, contract, agreement, or state plan is amended, such agency shall notify each such officer of such action in the same manner as prescribed or requested pursuant to subsection (1) of this section.

(3) Such agency shall promptly furnish such progress reports in relation to each such application, contract, agreement, or state plan as may be requested following the date of the filing of the application, contract, agreement, or state plan; and shall also file with each such officer a final report as to the final disposition of each such application, contract, agreement, or state plan if such is requested.

Sec. 11. Section 43.88.230, chapter 8, Laws of 1965 and RCW 43.88.230 are each amended to read as follows:

For the purposes of this chapter, ~~((the legislative council))~~ the statute law committee, the legislative budget committee, and all legislative ~~((interim))~~ standing committees of both houses shall be deemed a part of the legislative branch of state government.

NEW SECTION. Sec. 12. There is added to chapter 44.04 RCW a new section to read as follows:

(1) The legislative budget committee is authorized and directed to approve, modify and approve, defer or reject by a majority vote any spending recommendations from unanticipated receipts submitted by the governor during any period during which the legislature is not in session or has been in recess for three days or more.

(2) During any period when the legislature is in session or has not been in recess three days or longer, the house and senate standing committees on ways and means are authorized to jointly or separately approve, modify and approve, defer, or reject by a majority vote of each, any spending recommendations from unanticipated receipts which the governor may recommend.

Sec. 13. Section 2, chapter 43, Laws of 1951 and RCW 44.28.060 are each amended to read as follows:

The committee shall have the power and duty to appoint its own chairman, vice chairman, and other officers; to make rules and regulations for orderly procedure; to perform, either through the legislative budget committee ~~((or through the legislative council))~~ or through subcommittees of the legislative budget

committee, all duties and functions relating to ~~((the study of expenditures by the))~~ improving the economy, efficiency, and effectiveness of state agency management by performance audits and other staff studies of state government, its officers, boards, committees, commissions, institutions, and other state agencies.

Sec. 14. Section 4, chapter 43, Laws of 1951 as amended by section 10, chapter 206, Laws of 1955 and RCW 44.28.080 are each amended to read as follows:

The committee shall have the following powers:

(1) To make ~~((current))~~ examinations and reports ~~((concerning the current condition of all state funds, appropriations and other state moneys;))~~ concerning whether or not ~~((such))~~ appropriations are being ~~((currently))~~ expended for the purposes and within the statutory restrictions provided by the legislature; concerning the ~~((current availability))~~ economic outlook and estimates of revenue to meet expenditures ~~((under appropriations;))~~; and concerning the organization and operation of procedures necessary or desirable to ~~((control the expenditures and other fiscal operations of the))~~ promote economy, efficiency, and effectiveness in state government, its officers, boards, committees, commissions, institutions and other state agencies, and to make recommendations and reports to the legislature.

(2) To make such other studies and examinations of ~~((the expenses of the))~~ economy, efficiency, and effectiveness of state government and its state agencies as it may find advisable, and to hear complaints, hold hearings, gather information and make findings of fact with respect thereto.

(3) The committee shall have the power to receive messages and reports in person or in writing from the governor or any other state officials and to study generally any and all business relating to economy, efficiency, and effectiveness in state government and state agencies.

Sec. 15. Section 3, chapter 170, Laws of 1971 ex. sess. and RCW 44.28.085 are each amended to read as follows:

The legislative budget committee ~~((may))~~ shall make management surveys and program reviews as to every public body, officer or employee subject to the provisions of RCW 43.09.290 through 43.09.340. The legislative budget committee may also make management surveys and program reviews of local school districts, intermediate school districts, and other units of local government receiving state funds as grants-in-aid or as shared revenues. Management surveys for the purposes of this section shall be an independent examination for the purpose of providing the legislature with an evaluation and report of the manner in which any public agency, officer, administrator, or employee ~~((of a state agency subject to RCW 43.09.290 through 43.09.340))~~ has discharged ~~((his))~~ the ~~((responsibilities))~~ responsibility to faithfully, efficiently, and effectively administer any legislative purpose of the state. Program reviews for the purpose of this section shall be an examination of ~~((agency))~~ state or local government programs to ascertain whether or not such programs continue to serve their intended purposes, are conducted in an efficient and effective manner, or require modification or elimination: PROVIDED, That nothing in this section shall limit the power or duty of the state auditor to report to the legislature as directed by subsection (3) of RCW 43.88.160 as ~~((amended by this 1971 amendatory act))~~ now or hereafter amended. The authority in this section conferred excludes a like authority in the state auditor.

The legislative budget committee shall receive a copy of each report of examination issued by the state auditor under RCW 43.09.310, shall review all such reports, and shall make such recommendations to the legislature and to the state auditor as it deems appropriate.

Sec. 16. Section 6, chapter 43, Laws of 1951 and RCW 44.28.100 are each amended to read as follows:

The committee shall have the power to make reports from time to time to the members of the legislature ~~((to the legislative council;))~~ and to the public with respect to any of its findings or recommendations. The committee shall keep complete minutes of its meetings. The committee shall make and distribute its final report to the members of the ensuing legislature at least ten days prior to the convening of the legislature.

Sec. 17. Section 11, chapter 43, Laws of 1951 as amended by section 9, chapter 206, Laws of 1955 and RCW 44.28.140 are each amended to read as follows:

The committee is hereby authorized and empowered to appoint an officer to be known as the legislative auditor, and to fix his compensation, who shall be the executive officer of the committee and assist in its duties and shall compile information for the committee. The committee is hereby authorized and empowered to select and employ other clerical, legal, accounting, research and other personnel that it may deem desirable in the performance of its duties, and the compensation and salaries shall be fixed by the legislative budget committee.

The duties of the legislative auditor shall be as follows:

(1) To ascertain the facts and make recommendations to the committee and under their direction to the committees of the state legislature concerning

(a) ~~((state budget;~~

~~((b)))~~ revenues and expenditures of the state; and

~~((c)))~~ (b) the organization and functions of the state, its departments, subdivisions and agencies.

(2) To assist the ~~((appropriations))~~ several standing committees of the house and senate ~~((respectively;))~~ in consideration of ~~((the budget and all bills carrying express or implied appropriations and all))~~ legislation affecting state departments and their efficiency; to appear before ~~((any))~~ other legislative committees and to assist any other legislative committee(s) upon instruction by the legislative budget committee.

(3) To provide the legislature with information obtained under the direction of the legislative budget committee.

(4) To maintain a record of all work performed by the legislative auditor under the direction of the legislative budget committee and to keep and make available all documents, data and reports submitted to him by any legislative committee.

Sec. 18. Section 7, chapter 43, Laws of 1951 and RCW 44.28.150 are each amended to read as follows:

The committee shall cooperate, act and function with ~~((the legislative council))~~ legislative committees and with the councils or committees of other states similar to this committee and with other interstate research organizations.

Sec. 19. Section 2, chapter 195, Laws of 1971 ex. sess. and RCW 44.40.025 are each amended to read as follows:

In addition to the powers and duties authorized in RCW 44.40.020 the committee, the standing committees on ways and means and on transportation and utilities of the house and senate shall, in coordination with the legislative budget committee, ascertain, study, and/or analyze all available facts and matters relating or pertaining to sources of revenue, appropriations, expenditures, and financial condition of the motor vehicle fund and accounts thereof, the highway safety fund, and all other funds related to transportation programs of the state.

Sec. 20. Section 4, chapter 25, Laws of 1965 as last amended by section 2, chapter 91, Laws of 1971 ex. sess. and RCW 46.68.041 are each amended to read as follows:

(1) The department shall forward all funds accruing under the provisions of chapter 46.20 RCW together with a proper identifying, detailed report to the state treasurer who shall deposit such moneys to the credit of the highway safety fund except as otherwise provided in this section.

(2) One dollar of each fee collected for a temporary instruction permit shall be deposited in the driver education account in the general fund.

(3) Out of each fee of five dollars collected for a driver's license, the sum of three dollars and ten cents shall be deposited in the highway safety fund, and one dollar and ninety cents shall be deposited in the general fund(~~—PROVIDED: That the legislative budget committee and the legislative transportation committee are directed to jointly review methods for providing adequate financing of the state patrol and report their conclusions to the next session of the legislature commencing after January 1, 1972~~)).

**NEW SECTION.** Sec. 21. The following acts or parts of acts are each hereby repealed:

(1) Section 43.79.280, chapter 8, Laws of 1965, section 3, chapter 144, Laws of 1973 and RCW 43.79.280;

(2) Section 5, chapter 43, Laws of 1951 and RCW 44.28.090;

(3) Section 2, chapter 148, Laws of 1959 and RCW 44.28.160; and

(4) Section 1, chapter 40, Laws of 1971 ex. sess. and RCW 28B.10.180.

**NEW SECTION.** Sec. 22. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 23. This 1975 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 on July 1, 1975."

Beginning in line 1 of the title with "amending" strike all material down to and including the period in line 7 and insert the following: "amending section 43.09.310, chapter 8, Laws of 1965 as amended by section 2, chapter 170, Laws of 1971 ex. sess. and RCW 43.09.310; amending section 43.62.050, chapter 8, Laws of 1965 and RCW 43.62.050; amending section 43.79.270, chapter 8, Laws of 1965 as amended by section 2, chapter 144, Laws of 1973 and RCW 43.79.270; amending section 43.88.090, chapter 8, Laws of 1965 as amended by section 6, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.090; amending section 43.88.110, chapter 8, Laws of 1965 and RCW 43.88.110; amending section 1, chapter 263, Laws of 1971 ex. sess. and RCW 43.88.115; amending section 43.88.160, chapter 8, Laws of 1965 as last amended by section 11, chapter 40, Laws of 1975 and RCW 43.88.160; amending section 1, chapter 248, Laws of 1969 ex. sess. and RCW 43.88.195; amending section 4, chapter 41, Laws of 1967 ex. sess. as amended by section 3, chapter 17, Laws of 1973 2nd ex. sess. and RCW 43.88.205; amending section 43.88.230, chapter 8, Laws of 1965 and RCW 43.88.230; amending section 2, chapter 43, Laws of 1951 and RCW 44.28.060; amending section 4, chapter 43, Laws of 1951 as amended by section 10, chapter 206, Laws of 1955 and RCW 44.28.080; amending section 3, chapter 170, Laws of 1971 ex. sess. and RCW 44.28.085; amending section 6, chapter 43, Laws of 1951 and RCW 44.28.100; amending section 11, chapter 43, Laws of 1951 as amended by section 9, chapter 206, Laws of 1955 and RCW 44.28.140; amending section 7, chapter 43, Laws of 1951 and RCW 44.28.150; amending section 2, chapter 195, Laws of 1971 ex. sess. and RCW 44.40.025; amending section 4, chapter 25, Laws of 1965 as last amended by section 2, chapter 91, Laws of 1971 ex. sess. and RCW 46.68.041; adding a new section to chapter 43.88 RCW; adding a new section to chapter 44.04 RCW; repealing section 1, chapter 40, Laws of 1971 ex. sess. and RCW 28B.10.180; repealing section 43.79.280, chapter 8, Laws of 1965, section 3, chapter 144, Laws of 1973 and RCW 43.79.280; repealing section 5, chapter 43, Laws of 1951 and RCW 44.28.090; repealing section 2, chapter 148, Laws of 1959 and RCW 44.28.160; declaring an emergency; and providing an effective date."

Signed by Senators Donohue, Newschwander, Odegaard; Representatives Shinpoch, McKibbin, Flanagan.

## MOTION

On motion of Mr. Shipchoch, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 675 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 675 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 81; nays, 8; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Jueling, Kilbury, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeburger, Sherman, Shipchoch, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Douthwaite, Hawkins, King, Pardini, Patterson, Smith E. P., Williams.

Not voting: Representatives Blair, Curtis, Hurley G. S., Kalich, Kuehnle, Maxie, Nelson, North, Paris.

Engrossed House Bill No. 675 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## REPORT OF FREE CONFERENCE COMMITTEE

June 2, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2623, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 2623 as amended by the House be adopted with the following amendments to the House committee amendment:

On page 3 of the House committee amendment, line 27, strike "or threatened"

On page 6, line 16 strike "criminal or civil"

On page 7, line 29 strike "26.04" and insert "26.44"

On page 7, line 38 after "case," insert "when the court finds upon clear, cogent and convincing evidence that an incident of child abuse or neglect has occurred"

On page 8, line 40 after "that child's" strike "health and"

Signed by Senators Day, Marsh, North; Representatives Parker, Bauer, Eikenberry.

## MOTION

On motion of Mr. Parker, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2623 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2623 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker,

Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Curtis, Jueling, Kalich, Kuehne, Maxie, Nelson, North, Paris.

Engrossed Senate Bill No. 2623 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House advanced to the seventh order of business.

#### THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2736 as amended by the House, by Committee on Ways and Means (Originally sponsored by Senators Donohue, Odegaard and Newschwander):

Making certain corrections and adjustments in the tax laws.

The bill was read the third time and placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2736 as amended by the House, and the bill passed the House by the following vote: Yeas, 54; nays, 34; not voting, 10.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bausch, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Haussler, Hurley G. S., Hurley M., Jastad, Kilbury, Knowles, Leckenby, Luders, May, McCormick, Moon, Moreau, O'Brien, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Sherman, Shinpoch, Smith R., Thompson, Tilly, Valle, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Becker, Bender, Berentson, Boldt, Bond, Brown, Chandler, Charette, Cochrane, Ehlers, Flanagan, Gaines, Hansey, Hawkins, Hayner, Hendricks, King, Laughlin, Lee, Lysen, Martinis, Matthews, McKibbin, Newhouse, Pardini, Seeberger, Smith E. P., Sommers, Warnke, Whiteside, Williams, Zimmerman.

Not voting: Representatives Blair, Curtis, Fortson, Jueling, Kalich, Kuehne, Maxie, Nelson, North, Paris.

Engrossed Substitute Senate Bill No. 2736 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

Due to a voting machine error, my vote on Engrossed Substitute Senate Bill No. 2736 was recorded as "Yea" and it should have been "No."

CHARLES MOON, 39th District.

I wish to change my vote to "No" on Engrossed Substitute Senate Bill No. 2736.

ALEX DECCIO, 15th District.

The voting machine malfunctioned and recorded my vote on Engrossed Substitute Senate Bill No. 2736 as "yes." I wish the record to show that I voted "No" on this issue.

ART CLEMENTE, 39th District.

My vote "No" on final passage of Engrossed Substitute Senate Bill No. 2736 on Wednesday, June 4, was inadvertant and an error. I was at the bar of the House, but not at my desk, and the vote was a misunderstanding of my instructions.

IRVING NEWHOUSE, 15th District.

The Speaker assumed the Chair.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Warnke, Chandler and Kilbury as conferees on Engrossed House Bill No. 154.

#### MOTION

On motion of Mr. Chatalas, Engrossed Substitute Senate Bill No. 2736 as amended by the House was ordered transmitted immediately to the Senate.



## RESOLUTIONS

HOUSE RESOLUTION NO. 75-44, by Representatives Luders, Valle, Zimmerman, Warnke and Knowles:

WHEREAS, The legislature of the state of Washington finds that present practices regarding the disposal of hazardous wastes are creating potential dangers to the health and welfare of the citizens of the state; and

WHEREAS, Studies conducted for the U. S. Environmental Protection Agency show clearly that irreversible damage to the environment is occurring at an increasing and alarming rate by the uncontrolled discharge of hazardous materials into the environment; and

WHEREAS, There is ample evidence that other states are considering, or have taken, actions to preclude or limit the disposal of hazardous wastes within their geographic boundaries; and

WHEREAS, The generation and disposal of hazardous wastes from sources internal to the state of Washington coupled with the transport of such materials from other states creates a potential for permanent damage to the lands and waters of the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the ecology committee expeditiously undertake the development of legislation designed to control the transport and disposal of hazardous wastes and provide for legislative ratification of interstate agreements for regional disposal and that the state departments of Ecology, Agriculture, Commerce and Economic Development, Social and Health Services and any other involved or responsible state organizations concerned with the disposal of hazardous materials assist in the development of such legislation and, further, that such agencies not make representation or conduct negotiations that would indicate that the state of Washington will agree to the disposal of hazardous materials from outside the state of Washington until legislation has been enacted providing adequate safeguards for the environment and the public health and welfare of the citizens of the state of Washington.

On motion of Mrs. Valle, the resolution was adopted.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## RESOLUTIONS

HOUSE RESOLUTION NO. 75-45, by Representatives Valle, Cochrane, Savage, Wojahn, Sherman, Sommers, Erickson, Maxie and King:

WHEREAS, The passage of equal rights legislation in Washington was intended to extend equal rights under law to women, and not to deny existing rights; and

WHEREAS, Workers in this state have the right to work under healthful working conditions; and

WHEREAS, No worker should be required to lift more weight than she or he is able, or to work without adequate meal and rest breaks, or to work in conditions without proper lighting, heating, ventilation, and sanitary facilities; and

WHEREAS, Mandatory overtime increases unemployment by forcing fewer workers to occupy potential job positions; and

WHEREAS, The industrial welfare committee was created by legislation with a mandate to adopt rules and regulations which would ensure the provision of minimum wages, hours and conditions of employment to all workers determined necessary to prevent pernicious effects on the health of such workers;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the industrial welfare committee develop rules and regulations which will extend to the entire workforce the protective regulations which had covered women and minors prior to the enactment of equal rights legislation; and

BE IT FURTHER RESOLVED, That the industrial welfare committee hold regional public hearings at times convenient for workers affected by proposed regulations to be present and give testimony regarding the need for rules and regulations to provide healthful working conditions; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the chief clerk of the house to the Honorable Governor Daniel J. Evans and to each member of the industrial welfare committee.

Mrs. Valle moved adoption of the resolution.

Mr. Savage moved adoption of the following amendment by Representatives Savage and King:

On page 1, following line 22 insert the following:

"BE IT FURTHER RESOLVED, That the industrial welfare committee adopt regulations prohibiting mandatory overtime after eight hours a day and forty hours a week; and"

Representatives Savage, Cochrane and King spoke in favor of the amendment, and Representatives Peterson and Matthews spoke against it.

Mr. Hansey moved adoption of the following amendment to the Savage/King amendment:

Following "week" insert ": PROVIDED, This prohibition shall not apply to agricultural workers"

Mr. Hansey spoke in favor of the amendment to the amendment, and Mr. Savage spoke against it.

The amendment to the amendment was not adopted.

The Speaker stated the question before the House to be the amendment by Representatives Savage and King to House Resolution No. 75-45.

Mr. Zimmerman spoke in favor of the amendment, and Representatives Haley and Leckenby spoke against it.

#### MOTION

Mr. Polk moved that House Resolution No. 75-45 be referred to the Committee on Commerce.

#### ROLL CALL

The Clerk called the roll on the motion to refer House Resolution No. 75-45 to the Committee on Commerce, and the motion was lost by the following vote: Yeas, 41; nays, 46; not voting, 11.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Fortson, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Juelling, Leckenby, Lee, Martinis, Matthews, May, Newhouse, Pardini, Paris, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kilbury, King, Knowles, Laughlin, Luders, Maxie, McCormick, McKibbin, Moon, O'Brien, Perry, Savage, Sherman, Shipoch, Smith E. P., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Blair, Curtis, Gaines, Kalich, Kuehnl, Lysen, Moreau, Nelson, North, Seeberger, Smith R.

A division was called for on the amendment by Representatives Savage and King.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Savage and King to House Resolution No. 75-45, and the amendment was not adopted by the following vote: Yeas, 30; nays, 52; not voting, 16.

Voting yea: Representatives Adams, Bauer, Bausch, Bender, Ceccarelli, Clemente, Cochrane, Douthwaite, Ehlers, Fischer, Gallagher, Gaspard, Hawkins, Kilbury, King, Laughlin, Luders, May, McKibbin, O'Brien, Perry, Savage, Sherman, Smith E. P., Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Becker, Berentson, Bond, Brown, Chandler, Charette, Charnley, Chatalas, Conner, Deccio, Dunlap, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Juelling, Leckenby, Lee, Martinis, Matthews, Maxie, McCormick, Newhouse, Pardini, Parker, Patterson, Peterson, Polk, Randall, Schumaker, Shipoch, Sommers, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Blair, Boldt, Curtis, Gaines, Hanna, Kalich, Knowles, Kuehnl, Lysen, Moon, Moreau, Nelson, North, Paris, Seeberger, Smith R.

The Speaker stated the question before the House to be adoption of House Resolution No. 75-45.

#### ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 75-45, and the resolution was adopted by the following vote: Yeas, 52; nays, 32; not voting, 14.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer,

Fortson, Gallagher, Gaspard, Hanna, Hawkins, Hurley G. S., Kilbury, King, Laughlin, Luders, Martinis, May, McCormick, McKibbin, Moon, Moreau, O'Brien, Parker, Perry, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Hendricks, Hurley M., Jastad, Leckenby, Matthews, Maxie, Newhouse, Pardini, Patterson, Peterson, Polk, Randall, Schumaker, Tilly, Whiteside, Wilson.

Not voting: Representatives Blair, Brown, Curtis, Gaines, Hansen, Jueling, Kalich, Knowles, Kuehnle, Lee, Lysen, Nelson, North, Paris.

#### MOTIONS

Mr. Peterson moved that the Committee on Constitution and Elections be relieved of House Joint Resolution No. 52, and the resolution be placed on tomorrow's second reading calendar.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Thursday, June 5, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, June 5, 1975.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Adams, Blair, Curtis, Haley, Jueling, Kalich, Kuehnle, Nelson, Thompson and Williams. Representatives Blair, Curtis, Haley, Kalich, Kuehnle, Nelson, Thompson and Williams were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan Marsland and Mike Butler. Prayer was offered by Reverend Henry S. Rahn of the First Baptist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE GOVERNOR

June 4, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 4, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 105: Transferring the state motor pool to the department of general administration.

HOUSE BILL NO. 171: Prescribing motor vehicle gross weight limits.

HOUSE BILL NO. 172: Standardizing the marking of public vehicles.

HOUSE BILL NO. 763: Authorizing juvenile court and department of social and health services to retain jurisdiction over delinquent juvenile until age twenty-one.

SUBSTITUTE HOUSE BILL NO. 788: Prescribing changes in provisions relating to physicians and surgeons.

HOUSE BILL NO. 1029: Recognizing the Washington association of sheriffs and chiefs of police.

Sincerely,  
CHI-DOOH LI, Legal Counsel.

June 4, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on June 3, 1975, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 2: Decreasing the term length of mortgages or deeds on leasehold estates required for investments by insurance companies.

SUBSTITUTE HOUSE BILL NO. 67: Providing for popular election of mayor in council-manager code cities.

SUBSTITUTE HOUSE BILL NO. 126: Making it unlawful to display indecent material.

SUBSTITUTE HOUSE BILL NO. 184: Allowing higher education fee exemptions for residents fifty-five years of age or over at discretion of individual boards of trustees and regents.

HOUSE BILL NO. 267: Pertaining to pollution control credits or exemptions.

SUBSTITUTE HOUSE BILL NO. 340: Providing for the acquisition and disposition of documents or materials by the museum of the University of Washington.

HOUSE BILL NO. 423: Requiring that notice of a correction made to assessment of property be mailed by the assessor to the taxpayer by certified rather than registered mail.

HOUSE BILL NO. 464: Authorizing the aeronautics commission to provide assistance to certain Indian tribes.

HOUSE BILL NO. 467: Regulating use of candidates' picture in political advertising.

HOUSE BILL NO. 530: Amending laws relating to irrigation districts.

HOUSE BILL NO. 619: Mandating availability of materials on abuses of alcohol in public premises where sold or consumed on campuses of institutions of higher education.

Sincerely,

CHI-DOOH LI, Legal Counsel.

MESSAGES FROM THE SENATE

June 4, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 47,  
 HOUSE BILL NO. 144,  
 HOUSE BILL NO. 205,  
 SUBSTITUTE HOUSE BILL NO. 207,  
 HOUSE BILL NO. 230,  
 HOUSE BILL NO. 344,  
 HOUSE BILL NO. 350,  
 SUBSTITUTE HOUSE BILL NO. 511,  
 HOUSE BILL NO. 536,  
 HOUSE BILL NO. 578,  
 HOUSE BILL NO. 620,  
 HOUSE BILL NO. 707,  
 HOUSE BILL NO. 1043,  
 HOUSE BILL NO. 1077,  
 SUBSTITUTE HOUSE BILL NO. 1178,  
 HOUSE JOINT MEMORIAL NO. 24,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 3, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 693, and the President has appointed as members of said Conference Committee: Senators Fleming, Marsh, Jones.

Bill Gleason, Assistant Secretary.

June 3, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2840, and the President has appointed as members of said Conference Committee: Senators Francis, Pullen, Walgren.

Bill Gleason, Assistant Secretary.

June 3, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2341, and the President has appointed as members of said Conference Committee: Senators Bottiger, Wanamaker, Ridder.

Bill Gleason, Assistant Secretary.

June 3, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 2381, and the President has appointed as members of said Conference Committee: Senators Lewis (R. H.), Beck, Grant.

Bill Gleason, Assistant Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

June 3, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 176 with the following amendments:

On page 1, line 5 of the title strike "; and declaring an emergency"

On page 3, line 9 of the engrossed bill, being line 4 of the printed bill, strike "plan or"

On page 3, beginning on line 31 of the engrossed bill, being line 26 of the printed bill, strike all of section 4.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Ceccarelli, the House concurred in the Senate amendments to Engrossed House Bill No. 176.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Engrossed House Bill No. 176 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 176 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Adams, Blair, Curtis, Haley, Juelling, Kalich, Kuehnle, Lee, Nelson, Pardini, Randall, Thompson, Williams, and Mr. Speaker.

Engrossed House Bill No. 176 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

June 4, 1975

Mr. Speaker:

The Senate has receded from its amendment to page 6, new section 10, of ENGROSSED SUBSTITUTE HOUSE BILL NO. 198, and has passed the bill with the other Senate amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 198 as amended by the Senate, but without the Senate amendment to page 6.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 198 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Blair, Brown, Curtis, Haley, Hayner, Jueling, Kalich, Kuehnle, Lee, Nelson, Pardini, Thompson, Williams.

•Engrossed Substitute House Bill No. 198 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

June 3, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 591 with the following amendments:

On page 5, line 8 before "percent" strike "five" and insert "six"

On page 5, line 10 of the engrossed and printed bill, after "((three))" and before "percent" strike "five" and insert "four"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Warnke, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 591.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 591 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 591 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 9; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman.

Voting nay: Representatives Cochrane, Ehlers, Erickson, Freeman, Hanna, Hawkins, Moon, Wilson, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Blair, Brown, Curtis, Haley, Jueling, Kalich, Kuehnle, Lee, Nelson, Pardini, Thompson, Williams.

Engrossed Substitute House Bill No. 591 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

June 3, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on Substitute House Bill No. 1078, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

May 30, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1078, have had the same under consideration, and we report that we are unable to agree on the Senate amendments and, therefore, respectfully request powers of Free Conference for the purpose of recommending that the Senate amendments not be adopted and other amendments be adopted therefor.

Signed by Senators Lewis (Harry), Odegaard, Peterson; Representatives Martinis, Matthews, Conner.

#### MOTION

On motion of Mr. Martinis, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### REPORT OF CONFERENCE COMMITTEE

June 3, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2341, making certain changes in the laws relating to public service companies, have had the same under consideration, and we recommend that the House amendment on page 2, line 3 be adopted:

On page 2, line 3 add a new paragraph as follows:

"The fees collected pursuant to this section shall be approximately the same as the reasonable cost to the commission of supervising and regulating such companies, or classes of companies, respectively: PROVIDED, That the utilities and transportation commission and the department of labor and industries shall jointly enter into an inter-agency agreement or agreements pursuant to chapter 39.34 RCW to divide the responsibility for regulation of railroad safety and health matters with the department assuming jurisdiction of employee occupational safety and health pursuant to chapter 49.17 RCW and the commission retaining responsibility for general rail safety affecting the public in accordance with Title 81 RCW, and the fees collected from railroad companies pursuant to this section may be divided proportionately in accordance with the scope of the tasks divided under this proviso."

Signed by Senators Ridder, Bottiger; Representatives McCormick, Parker.

#### MOTION

Mr. Parker moved that the Conference Committee report be adopted, and that Engrossed Senate Bill No. 2341 do pass as recommended by the Conference Committee.

Mr. Parker spoke in favor of the motion, and Mr. Patterson spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to adopt the report of the Conference Committee on Engrossed Senate Bill No. 2341, and the motion was carried by the following vote: Yeas, 57; nays, 28; not voting, 13.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Bond, Brown, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Leckenby, Matthews, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representatives Adams, Blair, Curtis, Erickson, Haley, Jueling, Kalich, Kuehne, Nelson, O'Brien, Sommers, Thompson, Williams.

#### FINAL PASSAGE OF SENATE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2341 as recommended by the Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2341 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 60; nays, 26; not voting, 12.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Hurley M., Jastad, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, Parker, Perry, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.



Voting nay: Representatives Amen, Barnes, Bond, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hayner, Hendricks, Leckenby, Lee, Matthews, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Adams, Blair, Curtis, Erickson, Haley, Juelling, Kalich, Kuehnle, Nelson, O'Brien, Thompson, Williams.

Engrossed Senate Bill No. 2341 as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Blair, Curtis, Haley, Hurley (Margaret), Kalich, Martinis, May, Nelson, Thompson and Williams. Representatives Blair, Curtis, Haley, Kalich, Nelson, Thompson and Williams were excused.

#### MESSAGE FROM THE SENATE

June 4, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 40, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 4, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 40, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to propose an amendment to the Senate amendment.

Signed by Senators Day, McDermott, Buffington; Representatives Adams, Eng.

#### MOTION

On motion of Mr. Eng, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 4, 1975

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 49, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Day, North, Woody.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Becker, the House granted the request of the Senate for a conference on Engrossed House Bill No. 49.

## SENATE AMENDMENTS TO HOUSE BILL

May 31, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 378 with the following amendments:

In line 1 of the title, after "marshal," and before "amending" strike "and"

In line 1 of the title after ",'" insert "amending section 48.48.045, chapter 70, Laws of 1972 ex. sess. and RCW 48.48.045;"

In line 2 of the title after "48.48.090" and before the period insert "; and adding new sections to chapter 79, Laws of 1947 and to chapter 48.48 RCW"

On page 2, after line 8 add a new section as follows:

"NEW SECTION. Sec. 2. There is added to chapter 79, Laws of 1947 and to chapter 48.48 RCW a new section to read as follows:

In administering his duties and powers as provided by law, the state fire marshal shall make a study and compile a report relating to hazards associated with electrical wiring systems within the public schools in the state of Washington. The results of this study and the recommendations of the state fire marshal shall be submitted to the committees on ways and means of the senate and house of representatives on or before January 12, 1976."

On page 2, line 9 insert the following:

"NEW SECTION. Sec. 3. There is added to chapter 79, Laws of 1947 and to chapter 48.48 RCW a new section to read as follows:

The insurance commissioner may designate trained employees of the department to be vested with the same powers as police officers generally to enforce and administer the provisions of this chapter and rules and regulations adopted thereunder. The commissioner shall also have authority to contract with other state and local governmental agencies for services and personnel reasonably necessary to carry out the enforcement provisions of this chapter.

In addition to his other powers and duties, the commissioner shall have the power to propose and to adopt, pursuant to chapter 34.04 RCW, rules and regulations necessary to carry out the provisions, purposes, and intent of this chapter."

On page 2, after new sections 2 and 3, added by the Pullen and Rasmussen amendments, add the following:

"Sec. 4. Section 48.48.045, chapter 70, Laws of 1970 ex. sess. and RCW 48.48.045 are each amended to read as follows:

Standards for construction relative to fire prevention and safety for all schools under the jurisdiction of the superintendent of public instruction and state board of education shall be established by the state fire marshal, who shall adopt such nationally recognized fire and building codes and standards as may be applicable to local conditions. After the approval of such standards by the superintendent of public instruction and the state board of education, and review by the advisory board for school building systems established in RCW 25A.04.310, the fire marshal shall make or cause to be made plan reviews and construction inspections as may be necessary to insure compliance with said codes and standards.

Political subdivisions of the state having and enforcing such fire and building codes and standards at least equal to or higher than those by the state fire marshal as provided for in this section shall be exempted from the plan review and construction inspection provisions of this section within their respective subdivision for as long as such codes and standards are enforced; PROVIDED, That where a local official having enforcement jurisdiction over fire or building codes contends that the local code standards are equal to or higher than the state code and refuses to approve plans for new school construction or for remodeling of existing schools, previously approved by the state fire marshal, the superintendent of public instruction may request a determination by the advisory board for school building systems as to whether or not the local code in fact imposes higher standards. The advisory board is hereby directed to settle disputes and grant code waivers within ten days of such request if in its judgment the plans meet the appropriate fire and building code requirements.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

On motion of Mr. Moon, the question was divided.

On motion of Mr. Moon, the House concurred in the Senate amendment to page 2, adding a new section 4.

Mr. Moon moved that the House concur in the Senate amendment to page 2, line 8, adding a new section 2.

Mr. Moon spoke in favor of the motion, and Representatives Sommers, Newhouse, Leckenby and Zimmerman spoke against it.

The motion was lost, and the House refused to concur in the amendment adding a new section 2.

Mr. Moon moved that the House do concur in the Senate amendment to page 2, line 9, adding a new section 3.

Mr. Moon spoke in favor of the motion, and Ms. Sommers spoke against it.

The motion was lost, and the House refused to concur in the amendment adding a new section 3.

On motion of Mr. Moon, the two Senate amendments to line 1 of the title were adopted; and the House refused to concur in the Senate amendment to line 2 of the title.

#### MESSAGE FROM THE SENATE

May 27, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2210, and asks the House for a conference thereon, and the President has appointed as Senate conferees: Senators Stortini, Gould, Van Hollebeke.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Bauer, the House insisted on its position with regard to Engrossed Senate Bill No. 2210, and again asked the Senate to concur therewith.

#### SENATE AMENDMENTS TO HOUSE BILL

June 3, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 211 with the following amendments:

Strike all material after the enacting clause and insert the following:

"NEW SECTION. Section 1. Whenever any person, firm, or corporation engaged in the retail sale of farm implements and repair parts therefor enters into a written contract with any wholesaler, manufacturer, or distributor of farm implements, machinery, attachments, accessories, or repair parts whereby such retailer agrees to maintain a stock of parts or complete or whole machines, attachments, or accessories, and either party to such contract desires to cancel or discontinue the contract, unless the retailer should desire to keep such merchandise the manufacturer, wholesaler, or distributor shall pay the retailer for the merchandise. Such payment shall be in the amount of one hundred percent of the net cost of all current unused complete farm implements, machinery, attachments, and accessories, including transportation charges paid by the retailer, and eighty-five percent of the current net prices on repair parts, including superseded parts listed in current price lists or catalogs which parts had previously been purchased from such wholesaler, manufacturer, or distributor and held by such retailer on the date of the cancellation or discontinuance of such contract or thereafter received by such retailer from the wholesaler, manufacturer, or distributor. The wholesaler, manufacturer, or distributor shall also pay such retailer a sum equal to five percent of the current net price of all parts returned for the handling, packing, and loading of such parts for return: PROVIDED, That the provisions of this section shall apply only to repair parts which are new, unused, and in good condition. Upon the payment of such amounts, the title to such farm implements, farm machinery, attachments, accessories, or repair parts, shall pass to the manufacturer, wholesaler, or distributor making such payment, and such manufacturer, wholesaler, or distributor shall be entitled to the possession of such merchandise.

The provisions of this section shall apply to any annual part return adjustment agreement made between a seller or retailer and a manufacturer, wholesaler, or distributor.

The provisions of this section shall be supplemental to any agreement between the retailer and the manufacturer, wholesaler, or distributor covering the return of farm implements, machinery, attachments, accessories, and repair parts so that the retailer can elect to pursue either his contract remedy or the remedy provided herein, and an election by the retailer to pursue his contract remedy shall not bar his right to the remedy provided herein as to those farm implements, machinery, attachments, accessories, and repair parts not affected by the contract remedy.

The provisions of this section shall apply to all contracts now in effect which have no expiration date and are a continuing contract, and all other contracts entered into or renewed after January 1, 1976. Any contract in force and effect on January 1, 1976, which by its own terms will terminate on a date subsequent thereto shall be governed by the law as it existed prior to this chapter: PROVIDED, That no contract covered by this chapter may be cancelled by any party without good cause. Good cause shall include, but shall not be restricted to, the failure of any party to comply with the lawful provisions of the contract, the adjudication of any party to a contract as a bankrupt, wrongful refusal of manufacturer, wholesaler, or distributor to supply farm machinery, farm implements and repair parts therefor.

NEW SECTION. Sec. 2. All repurchase payments to retailers and sellers made pursuant to section 1 of this 1975 act shall be less amounts owed on any lien or claim then outstanding upon such items covered by this section. Any wholesaler, manufacturer, or distributor making repurchase payments covered by this

chapter to any retailer or seller shall satisfy such secured liens or claims pursuant to chapter 62A.9 RCW less any interest owed to the lienholder arising from the financing of such items which shall be paid to any such secured lienholder by the retailer or seller. In no case shall the wholesaler, manufacturer, or distributor, in making payments covered by section 1 of this 1975 act, pay in excess of those amounts prescribed therein.

**NEW SECTION.** Sec. 3. The prices of farm implements, machinery and repair parts therefor, required to be paid to any retail dealer as provided in section 1 of this 1975 act shall be determined by taking one hundred percent of the net cost on farm implements, machinery, and attachments, and eighty-five percent of the current net price of repair parts therefor as shown upon the manufacturer's, wholesaler's, or distributor's price lists or catalogues in effect at the time such contract is canceled or discontinued.

**NEW SECTION.** Sec. 4. In the event that any manufacturer, wholesaler, or distributor of farm machinery, farm implements, and repair parts therefor, upon cancellation or discontinuation of a contract by either a retailer or a manufacturer, wholesaler, or distributor, fails or refuses to make payment to such dealer as is required by section 1 of this 1975 act, such manufacturer, wholesaler, or distributor shall be liable in a civil action to be brought by such retailer for such payments as are required by section 1 of this 1975 act.

**NEW SECTION.** Sec. 5. Sections 1 through 4 of this 1975 act shall constitute a new chapter in Title 19 RCW.

**NEW SECTION.** Sec. 6. This act shall take effect on January 1, 1976.

**NEW SECTION.** Sec. 7. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

In line 1 of the title, after "regulations;" strike "and"

In line 2 of the title, after "RCW" and before the period, insert "; and providing an effective date" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Warnke, the House concurred in the Senate amendments to Substitute House Bill No. 211.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 211 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 211 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 0; not voting, 23.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Maxie, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Sommers, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Blair, Clemente, Curtis, Ehlers, Gallagher, Haley, Hawkins, Hurley M., Kalich, Knowles, Luders, Martinis, Matthews, May, McCormick, Nelson, Pardini, Parker, Sherman, Smith R., Thompson, Williams.

Substitute House Bill No. 211 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The Senate refuses to grant the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 866, and adheres to its position on the Senate amendments thereto, and insists that the House concur therewith, and said bill, together with the Senate amendments, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

Mr. Bagnariol moved that the House again refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 866, and again ask the Senate for a conference thereon.

Mr. Newhouse moved that the House do concur in the Senate amendments.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 866, and the motion was lost by the following vote: Yeas, 22; nays, 58; not voting, 18.

Voting yea: Representatives Amen, Berentson, Bond, Deccio, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Jueiling, Kuehnle, Lysen, Newhouse, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside, Wilson.

Voting nay: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hendricks, Hurley G. S., Jastad, Kilbury, King, Laughlin, Leckenby, Lee, Matthews, Maxie, McKibbin, Moreau, North, O'Brien, Pardini, Parker, Perry, Peterson, Randall, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Blair, Brown, Curtis, Hales, Hawkins, Hurley M., Kalich, Knowles, Luders, Martinis, May, McCormick, Moon, Nelson, Thompson, Valle, Williams.

#### STATEMENT FOR THE JOURNAL

I wish the record to show my vote on the motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 866, as "No."

IRV GREENGO, 46th District.

#### MOTION

Mr. Bagnariol again moved that the House insist on its position with regard to Engrossed Substitute House Bill No. 866, and again ask the Senate for a conference thereon.

The motion was carried.

#### MOTION

On motion of Mr. Charette, the House advanced to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

June 3, 1975

**SUBSTITUTE SENATE BILL NO. 2673, Original Prime Sponsor: Senator Odegaard,** modifying the timber reserve fund distribution for 1975 and setting the time for calculation of harvest factors. Reported by Committee on Ways and Means - Revenue.

**MAJORITY recommendation: Do pass with the following amendments:**

On page 5, beginning on line 15, strike the remainder of the bill and insert the following:

"Sec. 2. Section 5, chapter 294, Laws of 1971 ex. sess. as last amended by section 3, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.050 are each amended to read as follows:

(1) In preparing the assessment roll as of January 1, 1971 for taxes payable in 1972, the assessor of each timber county shall list all timber within such county on January 1, 1971 at the 1970 timber value. For each year commencing with 1972, the assessor of each timber county shall prepare a timber roll, which shall be separate and apart from the assessment roll, listing all timber within such county on January 1, 1972 at values determined as follows:

((a)) For the five years commencing with 1972, the value shall be the 1970 timber value((:)); **PROVIDED**, That in preparing the timber roll for 1975 and thereafter for taxes due and payable in 1976 and thereafter, the value shall be one hundred thirty-three percent of the 1970 timber value, and any increase in assessed value in any taxing district attributed to the application of this proviso shall be excluded from the calculation of the limitation upon regular property taxes as prescribed by RCW 84.55.010.

((b)) For each succeeding five year period, the first of which commences on January 1, 1977, the value shall be such 1970 timber value increased or decreased in proportion to the percentage change, if any, which has occurred between the last year of the preceding five year period and 1973 in the average stumpage value per unit of measure of all timber harvested in such county. Such percentage change shall be determined by the department of revenue on the basis of information contained in the excise tax returns filed pursuant to RCW 82.04.291.)

(2) As used in subsection (1) of this section, "1970 timber value" means the value for timber calculated in the same manner and using the same values and valuation factors actually used by such assessor in determining the value of timber for the January 1, 1970 assessment roll, except that if a revised schedule of such values and valuation factors was applied to some but not all timber in a county for the January 1, 1970 assessment roll, such revised schedule shall be used by the assessor for any timber revalued for the 1971 or 1972 assessment rolls, and except that if the value of timber in any county on January 1, 1970 was not separately determined and shown on such assessment roll, 1970 timber value shall mean the value reconstructed from available records and information in accordance with rules to be prescribed by the department of revenue.

(3) The assessor of each timber county shall add to the assessment roll showing values of property as of January 1 of the years listed below, an "assessed valuation" of the portion, indicated below opposite each such year, of the value of timber as shown on the timber roll for such year. Such assessed valuation shall be calculated by multiplying such portion of the timber roll by the assessment ratio applied generally by such assessor in computing the assessed valuation of other property in his county. The dollar rates, calculated pursuant to RCW 84.33.060 for each taxing district within which there was timber on January 1 of such year, shall be extended against such "assessed valuation" of timber within such district as well as against the assessed value of all other property within such district as shown on such assessment roll.

YEAR	PORTION OF TIMBER ROLL
1972	75%
1973	45%
1974 and thereafter	None

(4) Timber may be added to the timber roll, at the value specified in subsection (1) of this section, commencing as of January 1 following the designation of the land upon which such timber stands pursuant to subsection (3) of RCW 84.33.120 or 84.33.130, but only if the value of such timber was not separately determined and shown on the assessment roll as of either January 1, 1970 or January 1, 1972.

(5) Timber may be added to the timber roll, at the value specified in subsection (1) of this section, commencing as of January 1st following the sale or transfer of the land upon which such timber stands from an ownership in which such land was exempt from ad valorem taxation to an ownership in which such land is no longer exempt.

(6) The value of timber shall be deleted from the timber roll upon the sale or transfer of the land upon which such timber stands to an ownership in which such land is exempt from ad valorem taxation.

Sec. 3. Section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 2, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.080 are each amended to read as follows:

(1) On or before December 15 of each year commencing with 1972 and ending with 1980, the assessor of each timber county shall deliver to the treasurer of such county and to the department of revenue a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The value of timber as shown on the timber roll for such year;

(b) The ((aggregate)) dollar rates calculated pursuant to RCW 84.33.060 and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection in the following year;

(c) A "timber factor" which is the product of such ((aggregate)) dollar rates, the assessment ratio applied generally by such assessor in computing the assessed value of other property in his county and the appropriate portion listed below of the timber roll for such year ((a) above):

YEAR	PORTION OF TIMBER ROLL
1972	25%
1973	55%
1974 through 1977	100%
1978	75%
1979	50%
1980	25%

On or before December 31 of each year commencing with 1972 and ending with 1980, the department of revenue shall determine the proportion that each taxing district's timber factor bears to the sum of the timber factors for all taxing districts in the state, and shall deliver a list to the assessor and the treasurer of each timber county and to the state treasurer showing the factor and proportion for each taxing district.

(2) On the twentieth day of the second month of each calendar quarter, commencing February 20, 1974 and ending November 20, 1981, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (1) of this section) of the amount in state timber tax fund A collected upon timber harvested in the preceding calendar quarter, but in no event shall any such quarterly payment to a taxing district, when added to such payments made to such district the previous quarters of the same year, exceed, respectively one-fourth, one-half, three-fourths, or the full amount of the timber factor for such district determined in December of the preceding year.

The balance in state timber tax fund A, if any, after the distribution to taxing districts on November 20, 1974 and on the twentieth day of the second month of each calendar quarter commencing February 20, 1975 and ending November 20, 1981 shall be transferred to the state timber reserve fund.

(3) If the balance in state timber tax fund A immediately prior to such twentieth day of the second month of each calendar quarter is not sufficient to permit a payment of one-fourth, one-half, three-fourths, or the full amount, as the case may be, which, when added to the payments made to any taxing district the previous quarters of the same year, will equal the timber factor for such district determined in December of the preceding year, the necessary additional amount shall be transferred from the state timber reserve fund to state timber tax fund A.

(4) If, after the transfer, if any, from the state timber tax fund A (pursuant to subsection (2) of this section) in November of 1974 only and in August of any year thereafter commencing with ((1974)) 1975, the balance in the state timber reserve fund exceeds two million dollars, the amount of the excess shall be

applied first, subject to legislative appropriation of funds allocated from the state timber reserve fund, for activities undertaken by the department of revenue forest valuation section and for the activities undertaken by the department of natural resources relating to classification of lands as required by this chapter: PROVIDED, That within the 1973-75 biennium, the state treasurer shall transfer from the state timber reserve fund to the state general fund an amount equal to actual expenditures of the department of revenue related to the activities of the forest valuation section no later than August 31, 1974 and August 31, 1975, for the fiscal year just completed. If the amount of such excess is more than is necessary for reimbursement for such purposes, the remaining amount of the excess shall be distributed to the taxing districts which distribution shall be made in the following manner:

(a) The department of revenue shall calculate a harvest factor and a harvest factor proportion for each taxing district, ~~((in the manner provided in subsection (5) of this section except that for years before 1978 there shall be used the aggregate value of timber harvested for as many quarters for which information is available))~~ in September of each year in the manner provided in subsection (5) of this section, subject to the following provisions:

(i) For years before 1978 there shall be used the aggregate value of timber harvested for as many quarters for which information is available;

(ii) For distributions made in 1976 and thereafter the dollar rate shall be the regular property tax rate;

(iii) In addition the rate shall include the tax rate or rates established for retirement of general obligation bonds issued for capital purposes pursuant to Article 7, section 2 of the state Constitution determined in the immediately preceding October;

(iv) In addition for schools the rate shall include maintenance and operation and building fund special levy rates actually utilized the immediately preceding October;

(v) PROVIDED FURTHER, That for any excess reserve fund disbursements made for 1975 such calculations shall be made as soon as practicable after the effective date of this amendatory act using the tax rates determined in October of 1974. The department of revenue shall promptly notify the treasurer of each timber county of the results of such calculation for that county: PROVIDED FURTHER, That the amount to be distributed to the schools pursuant to (ii) and (iv) above shall produce an aggregate amount due to the state for the exclusive use of the common schools and shall be distributed through the school equalization formula as contained in RCW 28A.41.140: PROVIDED FURTHER, That the provisions of section 2(5)(e) of this 1975 amendatory act shall apply to the reserve fund distribution.

(b) By multiplying the amount of such excess by the harvest factor proportion for each taxing district respectively, the department of revenue shall calculate the amount to be distributed to each local taxing district and to the state and shall certify such amounts to the respective county assessors and state;

(c) Along with each quarterly payment pursuant to subsection (2) of this section, the state treasurer shall pay, out of the state timber reserve fund, to the treasurer of each timber county for the account of each local taxing district one-fourth of such district's portion (determined pursuant to (b) above) of such excess and the state treasurer shall pay into the state's general fund for the support of the common schools out of the state timber reserve fund such additional one-fourth amount due the state: PROVIDED, That the portion of any excess reserve fund disbursements made to each taxing district which is attributable to the tax rate or rates established for retirement of general obligation bonds issued for capital purposes shall be allocated by such taxing district to and applied by such taxing district to the annual installment required for the retirement of such general obligation bonds, but no part of such disbursements shall be treated as local revenues for purposes of apportionment by the superintendent of public instruction under RCW 28A.41.130.

The balance, if any, in the state timber reserve fund after the final transfer, if any, to or from state timber tax fund A in November of 1981, shall be transferred to state timber tax fund B on December 31, 1981, and one-fourth of such balance shall be distributed in each quarter of 1982 in the manner set forth in subsection (6) of this section.

(5) On or before December 31 of each year commencing with 1978, the department of revenue shall deliver to the treasurer of each timber county a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The average of the aggregate value of all timber harvested within such district in each of the immediately preceding five years as determined from the excise tax returns filed with the department of revenue;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and chapter 84.52 RCW and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection the following year;

(c) A "harvest factor" which is the product of such five year average and such aggregate dollar rate;

(d) The proportion that each taxing district's harvest factor bears to the sum of the harvest factors for all taxing districts in the state;

(e) In the event that the authority of school districts to impose special levies is limited by law after the effective date of this 1975 amendatory act, it is the intent of the legislature that the proportion for distribution to schools not be reduced as a result of such limitation. In the event of such legislative action the distribution for schools shall be based on the average of the special levies approved for collection in such districts in 1974 and 1975: PROVIDED, That such distribution be used exclusively for common schools and shall be distributed through the school equalization formula as contained in RCW 28A.41.140 as now or hereafter amended.

(6) On the twentieth day of the second month of each calendar quarter commencing February 20, 1979, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (5) of this section) of the amount in state timber tax fund B collected upon timber harvested in the preceding calendar quarter.

Sec. 4. Section 9, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.200 are each amended to read as follows:

(1) The legislature shall review the system of distribution and allocation of all timber excise tax revenues in January, 1975 and each year thereafter to provide a uniform and equitable distribution and allocation of such revenues to the state and local taxing districts.

(2) ~~((In order to allow legislative review of the rules and regulations to be adopted by the department of revenue establishing the stumpage value index provided for in RCW 82.04.291(3), such rules and regulations shall be effective not less than sixty days after transmitting to the staffs of the senate and house ways and means committees (or their successor committees) the same proposed rules and regulations as shall have been previously filed with the office of the code reviser pursuant to RCW 34.04.025(1)(a);~~

~~(3))~~ The ways and means committees of the house and senate, with the advice of the department of revenue, the department of natural resources, office of the superintendent of public instruction, county government, and affected landowners, shall review the yield tax rate and rate structure prior to December 31, 1978, and shall recommend modification of the rate and rate structure as necessary so that timber bears an equitable and proportionate tax share in conformance with the provisions of this chapter.

~~((4))~~ (3) The department of revenue and the department of natural resources shall make available to the revenue committees of the senate and house of representatives of the state legislature information and data, as it may be available, pertaining to the status of forest land grading throughout the state, the collection of timber excise tax revenues, the distribution and allocation of timber excise tax revenues to the state and local taxing districts, and any other information as may be necessary ~~((for))~~ for the proper legislative review and implementation of the timber excise tax system, and in addition, the departments shall provide an annual report of such matters in January of each year to such committees.

**NEW SECTION.** Sec. 5. This 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."

On line 9 of the title after "RCW 84.33.200" and before the period insert "; and declaring an emergency"

Signed by Representatives Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Eikenberry, Hurley (George), Kilbury, Pardini, Sommers.

To Committee on Rules for second reading.

#### MOTION

On motion of Mr. Charette, the House advanced to the eighth order of business.

#### RESOLUTIONS

**HOUSE RESOLUTION NO. 75-46**, by Representatives Bausch, O'Brien, Chatalas, Sawyer, Adams, Bagnariol, Barnes, Becker, Bender, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Cochrane, Deccio, Dunlap, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Haussler, Hawkins, Hendricks, Hurley G., Hurley M., Jastad, Jueling, Kalich, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, McCormick, Moon, Moreau, Newhouse, North, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Smith E., Thompson, Warnke, Wilson and Wojahn.

**WHEREAS**, During this year of 1975, St. Michael's Catholic Church of Olympia is celebrating 100 years of service; and

**WHEREAS**, The priests, nuns, and laity of St. Michael's Parish have ministered, since the territorial days, to the spiritual and temporal needs of this community; and

**WHEREAS**, Since its founding, the nuns of this parish have provided food and assistance to the poor and infirm of all faiths in this area; and

**WHEREAS**, St. Michael's Parish has throughout this 100 years served as a center for education; and

**WHEREAS**, St. Michael's Church, as the only Catholic church in the city of Olympia, has been the center of worship for the members of the Catholic faith from this legislative assembly; and

**NOW, THEREFORE, BE IT RESOLVED**, By the House of Representatives of the state of Washington, that the members do hereby commemorate the occasion of the one hundredth anniversary of the founding of St. Michael's Parish in Olympia, and do hereby commend its priests, nuns and laity for their valuable services and accomplishments in this parish.



BE IT FURTHER RESOLVED, That the members extend best wishes to all the people from St. Michael's Parish for many happy returns of this historic occasion and for many more years of continued outstanding ministry to the spiritual and temporal needs of this community.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit suitably prepared copies of this resolution to Father William Treacy, pastor of St. Michael's Catholic Church.

#### MOTION

Mr. O'Brien moved adoption of the resolution.

Representatives O'Brien, Bausch and Hendricks spoke in favor of the resolution, and it was adopted.

The Speaker called on Mr. Ceccarelli to preside.

HOUSE RESOLUTION NO. 75-47, by Representatives Amen and Zimmerman:

WHEREAS, The House of Representatives has heretofore appointed its conference committee members to consider the Senate version of the general operating budget for the state of Washington, as recently adopted by the Senate; and

WHEREAS, The Senate has failed to appoint its conference committee members and have them in attendance at scheduled meetings; and

WHEREAS, The passage of the budget is required by law not less than thirty days prior to the end of this current biennium and such legal requirement has not been met for failure of appointment of said Senate conferees;

BE IT RESOLVED, By the House of Representatives of the state of Washington, in legislative session assembled, That the House of Representatives hereby once again requests that the Senate forthwith appoint its conference committee members, in order that consideration of the general operating budget for the state of Washington shall proceed without further delay.

#### MOTION

Mr. Amen moved adoption of the resolution, and spoke in favor of it.

Representatives Bagnariol, Eikenberry and Hurley (George) spoke in favor of the resolution.

Mr. O'Brien demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 75-47, and the resolution was adopted by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Knowles, Kuehne, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Berentson, Blair, Brown, Curtis, Haley, Hurley M., Kalich, Luders, May, McCormick, Nelson, Savage, Thompson, Williams.

House Resolution No. 75-47, having received the constitutional majority, was declared passed.

The Speaker (Mr. Ceccarelli presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 176,  
 SUBSTITUTE HOUSE BILL NO. 198,  
 SUBSTITUTE HOUSE BILL NO. 591,  
 HOUSE BILL NO. 675,  
 HOUSE BILL NO. 796,

## HOUSE BILL NO. 962.

## SENATE AMENDMENTS TO HOUSE BILL

June 4, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 827 with the following amendments:

On page 1, after the enacting clause, beginning on line 29, strike the balance of the bill and insert the following:

"Section 1. Section 1, chapter 1, Laws of 1973 and RCW 42.17.010 are each amended to read as follows:

It is hereby declared by the sovereign people to be the public policy of the state of Washington:

(1) That political campaign and lobbying contributions and expenditures be fully disclosed to the public and that secrecy is to be avoided.

(2) That the people have the right to expect from their elected representatives at all levels of government the utmost of integrity, honesty and fairness in their dealings.

(3) That the people shall be assured that the private financial dealings of their public officials, and of candidates for those offices, present no conflict of interest between the public trust and private interest.

(4) That our representative form of government is founded on a belief that those entrusted with the offices of government have nothing to fear from full public disclosure of their financial and business holdings, provided those officials deal honestly and fairly with the people.

(5) That public confidence in government at all levels is essential and must be promoted by all possible means.

(6) That public confidence in government at all levels can best be sustained by assuring the people of the impartiality and honesty of the officials in all public transactions and decisions.

(7) That the concept of attempting to increase financial participation of individual contributors in political campaigns is encouraged by the passage of the Revenue Act of 1971 by the Congress of the United States, and in consequence thereof, it is desirable to have implementing legislation at the state level.

(8) That the concepts of disclosure and limitation of election campaign financing are established by the passage of the Federal Election Campaign Act of 1971 by the Congress of the United States, and in consequence thereof it is desirable to have implementing legislation at the state level.

(9) That small contributions by individual contributors are to be encouraged, and that not requiring the reporting of small contributions may tend to encourage such contributions.

(10) That the public's right to know of the financing of political campaigns and lobbying and the financial affairs of elected officials and candidates far outweighs any right that these matters remain secret and private.

(11) That, mindful of the right of individuals to privacy and of the desirability of the efficient administration of government, full access to information concerning the conduct of government on every level must be assured as a fundamental and necessary precondition to the sound governance of a free society.

The provisions of this chapter shall be liberally construed to promote complete disclosure of all information respecting the financing of political campaigns and lobbying, and the financial affairs of elected officials and candidates, and full access to public records so as to assure continuing public confidence of fairness of elections and governmental processes, and so as to assure that the public interest will be fully protected. In promoting such complete disclosure, however, this chapter shall be enforced so as to insure that the information disclosed will not be misused for arbitrary and capricious purposes and to insure that all persons reporting under this chapter will be protected from harassment and unfounded allegations based on information they have freely disclosed.

Sec. 2. Section 2, chapter 1, Laws of 1973 and RCW 42.17.020 are each amended to read as follows:

(1) "Agency" includes all state agencies and all local agencies. "State agency" includes every state office, public official, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, city and county, school district, municipal corporation, district, political subdivision, or any board, commission, or agency thereof, or other local public agency.

(2) "Ballot proposition" means any "measure" as defined by RCW 29.01.110, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of ((any specific)) the state or any municipal corporation, political subdivision or other voting constituency ((which)) from and after the time when such proposition has been initially filed with the appropriate election officer of that constituency prior to its circulation for signatures.

(3) "Campaign depository" means a bank designated by a candidate or political committee pursuant to RCW 42.17.050.

(4) "Campaign treasurer" and "deputy campaign treasurer" mean the individuals appointed by a candidate or political committee, pursuant to RCW 42.17.050, to perform the duties specified in that section.

(5) "Candidate" means any individual who seeks election to public office. An individual shall be deemed to seek election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(b) Announces publicly or files for office.

(6) "Commercial advertiser" means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general

public whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(7) "Commission" means the agency established under RCW 42.17.350.

(8) "Compensation" unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind: PROVIDED, That for the purpose of compliance with RCW 42.17.240, as now or hereafter amended, the term "compensation" shall not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while such official is engaged in the official business of such governmental entity.

(9) "Continuing political committee" means a political committee which is an organization of continuing existence not established in anticipation of any particular election.

(10) "Contribution" includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration, but does not include interest on moneys deposited in a political committee's account, ordinary home hospitality and the rendering of "part time" personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of twenty-five dollars personally paid for by ((any volunteer campaign)) such worker. "Part time" services, for the purposes of this chapter, means services in addition to regular full time employment, or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of such tickets, and only the excess over actual cost of such consumables shall be deemed a contribution.

~~((9))~~ (11) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

~~((10))~~ (12) "Election" includes any primary, general or special election for public office and any election in which a ballot proposition is submitted to the voters: PROVIDED, That an election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

~~((11))~~ (13) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

~~((12))~~ (14) "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term "expenditure" also includes a promise to pay, a payment or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. The term "expenditure" shall not include the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported, or payment of service charges against a political committee's campaign account.

~~((13))~~ (15) "Final report" means the report described as a final report in RCW 42.17.080(2).

~~((14))~~ (16) "Immediate family" includes the spouse ((and children living in the household and other relatives living in the household)), dependent children, and other dependent relatives, if living in the household.

~~((15))~~ (17) "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter which may be the subject of action by either house, or any committee of the legislature and all bills and resolutions which having passed both houses, are pending approval by the governor.

~~((16))~~ (18) "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state Administrative Procedure Acts, chapter 34.04 RCW and chapter 28B.19 RCW.

~~((17))~~ (19) "Lobbyist" includes any person who shall lobby either in his own or another's behalf.

~~((18))~~ (20) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist.

~~((19))~~ (21) "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

~~((20))~~ (22) "Person in interest" means the person who is the subject of a record or any representative designated by said person, except that if such person be under a legal disability, the term "person in interest" shall mean and include the parent or duly appointed legal representative.

((21)) (23) "Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

((22)) (24) "Political committee" means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

((23)) (25) "Public office" means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

((24)) (26) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

((25)) (27) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

As used in this chapter, the singular shall take the plural and any gender, the other, as the context requires.

Sec. 3. Section 4, chapter 1, Laws of 1973 and RCW 42.17.040 are each amended to read as follows:

(1) Every political committee, within ten days after its organization or, within ten days after the date when it first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier, shall file a statement of organization with the commission and with the county auditor of the county in which the candidate resides (or in the case of a political committee supporting or opposing a ballot proposition, the county in which the campaign treasurer resides). Each political committee in existence on the effective date of this act shall file a statement of organization with the commission within ninety days after such effective date.

(2) The statement of organization shall include but not be limited to:

(a) The name and address of the committee;

(b) The names and addresses of all related or affiliated committees or other persons, and the nature of the relationship or affiliation;

(c) The names, addresses, and titles of its officers; or if it has no officers, the names, addresses and titles of its responsible leaders;

(d) The name and address of its campaign treasurer and campaign depository;

(e) A statement whether the committee is a continuing one;

(f) The name, office sought, and party affiliation of each candidate whom the committee is supporting or opposing, and, if the committee is supporting the entire ticket of any party, the name of the party;

(g) The ballot proposition concerned, if any, and whether the committee is in favor of or opposed to such proposition;

(h) What distribution of surplus funds will be made in the event of dissolution; ~~(and)~~

(i) The hours during which the committee will make available for public inspection its books of account and all reports filed in accordance with section 5 of this 1975 amendatory act and RCW 42.17.080, as now or hereafter amended; and

(j) Such other information as the commission may by regulation prescribe, in keeping with the policies and purposes of this chapter.

(3) Any material change in information previously submitted in a statement of organization shall be reported to the commission and to the appropriate county auditor within the ten days following the change.

Sec. 4. Section 6, chapter 1, Laws of 1973 and RCW 42.17.060 are each amended to read as follows:

(1) All monetary contributions received by a candidate or political committee shall be deposited by the campaign treasurer or deputy treasurer in a campaign depository in an account designated, "Campaign Fund of . . . . . " (name of candidate or political committee).

(2) All deposits made by a campaign treasurer or deputy campaign treasurer shall be accompanied by a statement containing the name of each person contributing the funds so deposited and the amount contributed by each person: **PROVIDED**, That contributions not exceeding ~~(five)~~ ten dollars from any one person may be deposited without identifying the contributor. The statement shall be in triplicate, upon a form prescribed by the commission, one copy to be retained by the campaign depository for its records for the minimum term of three years, one copy to be filed by the campaign treasurer with the commission, and one copy to be retained by the campaign treasurer for his records. In the event of deposits made by a deputy campaign treasurer, the third copy shall be forwarded to the campaign treasurer to be retained by him for his records. Each statement shall be certified as correct by the campaign treasurer or deputy campaign treasurer making the deposit.

(3) ~~((a) Accumulated anonymous contributions in excess of one dollar from any individual contributor; and~~

~~(b)) Political committees which support or oppose more than one candidate or ballot proposition, or exist for more than one purpose, may maintain multiple separate bank accounts within the same designated depository for such purpose: **PROVIDED**, Each such account shall bear the same name followed by~~

an appropriate designation which accurately identifies its separate purpose: AND PROVIDED FURTHER, That transfers of funds which must be reported under RCW 42.17.090(1)(d), as now or hereafter amended, may not be made from more than one such account.

(4) Accumulated ((anonymous)) unidentified contributions, other than those made by persons whose names must be maintained on a separate and private list by a political committee's campaign treasurer pursuant to RCW 42.17.090(1)(b), which total in excess of one percent of the total accumulated contributions received ((to date)) in the current calendar year or three hundred dollars (whichever is ((less)) more), shall not be deposited, used or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state, and shall be paid to the state treasurer for deposit in the state general fund.

NEW SECTION. Sec. 5. There is added to chapter 42.17 RCW a new section to read as follows:

(1) In addition to the provisions of this section, a continuing political committee shall file and report on the same conditions and at the same times as any other committee in accordance with the provisions of RCW 42.17.040, 42.17.050, and 42.17.060.

(2) A continuing political committee shall file with the commission and the auditor of the county in which the committee treasurer resides a quarterly report on or before the thirtieth day after the end of each calendar quarter detailing its activities for the preceding calendar quarter and, in addition, a monthly report on the tenth day of each month detailing its activities for the preceding calendar month: PROVIDED, That it shall not be necessary to file any such monthly report for any month during which the committee received no contribution and made no expenditure. Such reports shall be on a form supplied by the commission and shall include the following information:

(a) The information required by RCW 42.17.090;

(b) Each expenditure made to retire previously accumulated debts of the committee; identified by recipient, amount, and date of payments;

(c) Such other information as the commission shall by rule prescribe.

(3) If a continuing political committee shall make a contribution in support of or in opposition to a candidate or ballot proposition within sixty days prior to the date on which such candidate or ballot proposition will be voted upon, such continuing political committee shall report pursuant to RCW 42.17.080, as now or hereafter amended, until twenty-one days after said election.

(4) A continuing political committee shall file reports as required by this chapter until it is dissolved, at which time a final report shall be filed. Upon submitting a final report, the duties of the campaign treasurer shall cease and there shall be no obligation to make any further reports.

(5) The campaign treasurer shall maintain books of account in accordance with generally accepted accounting principles reflecting all contributions and expenditures on a current basis within three business days of receipt or expenditure. During the eight days immediately preceding the date of any election, for which the committee has received any contributions or made any expenditures, the books of account shall be kept current within one business day and shall be open for public inspection for at least two consecutive hours Monday through Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as specified in the committee's statement of organization filed pursuant to RCW 42.17.040 as now or hereafter amended, at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer.

(6) All reports filed pursuant to this section shall be certified as correct by the campaign treasurer.

Sec. 6. Section 8, chapter 1, Laws of 1973 and RCW 42.17.080 are each amended to read as follows:

(1) On the day the campaign treasurer is designated, each candidate or political committee shall file with the commission and the county auditor of the county in which the candidate resides (or in the case of a political committee supporting or opposing a ballot proposition, the county in which the campaign treasurer resides), in addition to any statement of organization required under RCW 42.17.040, a report of all contributions received and expenditures made in the election campaign prior to that date(~~(- PROVIDED, That if the political committee is an organization of continuing existence not established in anticipation of any particular election the campaign treasurer shall report, at the times required by this chapter, and at such other times as are designated by the commission, all contributions received and expenditures made since the date of his or his predecessor's last report. In addition to any statement of organization required under RCW 42.17.040, the initial report of the campaign treasurer of such a political committee in existence at the time this chapter becomes effective need include only:~~

(a) ~~The funds on hand at the time of the report, and~~

(b) ~~Such other information as shall be required by the commission by regulation in conformance with the policies and purposes of this chapter).~~

(2) At the following intervals each campaign treasurer shall file with the commission and the county auditor of the county in which the candidate resides (or in the case of a political committee supporting or opposing a ballot proposition the county in which the campaign treasurer resides) a further report of the contributions received and expenditures made since the date of the last report:

(a) On the fifth and nineteenth days immediately preceding the date on which the election is held; and

(b) Within ten days after the date of a primary election, and within twenty-one days after the date of all other elections; and

(c) On or before the thirtieth day after the end of each calendar quarter preceding the election in which no other reports are required to be filed under this section other than those required to be filed by subsection (d) below, as now or hereafter amended; and

(d) On the tenth day of each month preceding the election in which no other reports are required to be filed under this section: PROVIDED, That it shall not be necessary to file any such monthly report for any month during which the committee received no contribution and made no expenditure.

The report filed under paragraph (b) above shall be the final report if there is no outstanding debt or obligation, and the campaign fund is closed, and the campaign is concluded in all respects, and if in the case of a political committee, the committee has ceased to function and has dissolved. If the candidate or political committee has any outstanding debt or obligation, additional reports shall be filed at least once every six months until the obligation or indebtedness is entirely satisfied at which time a final report shall be filed. ((A continuing political committee shall file reports as required by this chapter until it is dissolved; at which time a final report shall be filed.)) Upon submitting a final report, the duties of the campaign treasurer shall cease and there shall be no obligation to make any further reports.

(3) The campaign treasurer shall maintain books of account in accordance with generally accepted accounting principles reflecting all contributions and expenditures on a current basis within three business days of receipt or expenditure. During the eight days immediately preceding the date of the election the books of account shall be kept current within one business day and shall be open for public inspection ((during normal business hours)) for at least two consecutive hours Monday through Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as specified in the committee's statement of organization filed pursuant to RCW 42.17.040 as now or hereafter amended, at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer.

(4) All reports filed pursuant to this section shall be certified as correct by the candidate and the campaign treasurer.

(5) Copies of all reports filed pursuant to this section shall be readily available for public inspection for at least two consecutive hours Monday through Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as specified in the committee's statement of organization filed pursuant to RCW 42.17.040 as now or hereafter amended, at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer.

Sec. 7. Section 9, chapter 1, Laws of 1973 and RCW 42.17.090 are each amended to read as follows:

(1) Each report required under RCW 42.17.080 shall disclose for the period beginning at the end of the period for the last report or, in the case of an initial report, at the time of the first contribution or expenditure, and ending not more than three days prior to the date the report is due:

(a) The funds on hand at the beginning of the period;

(b) The name and address of each person who has made one or more contributions during the period, together with the money value and date of such contributions and the aggregate value of all contributions received from each such person during the preceding twelve-month period: PROVIDED, That contributions not exceeding ((five)) ten dollars in aggregate from any one person during the election campaign may be reported as one lump sum so long as the campaign treasurer maintains a separate and private list of the names, addresses, and amounts of each such contributor;

(c) Each loan, promissory note, or security instrument to be used by or for the benefit of the candidate or political committee made by any person, together with the names and addresses of the lender and each person liable directly, indirectly or contingently and the date and amount of each such loan, promissory note, or security instrument;

(d) The name and address of each political committee from which the reporting committee or candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts, dates and purpose of all such transfers;

(e) All other contributions not otherwise listed or exempted;

(f) The name and address of each person to whom an expenditure was made in the aggregate amount of twenty-five dollars or more, and the amount, date and purpose of each such expenditure;

(g) The total sum of expenditures;

(h) The surplus or deficit of contributions over expenditures;

(i) The disposition made of any surplus of contributions over expenditures;

(j) Such other information as shall be required by the commission by regulation in conformance with the policies and purposes of this chapter; and

(k) Funds received from a political committee not domiciled in Washington state and not otherwise required to report under this chapter (a "nonreporting committee"). Such funds shall be forfeited to the state of Washington unless the nonreporting committee or the recipient of such funds has filed or within ten days following such receipt shall file with the commission a statement disclosing: (i) its name and address; (ii) the purposes of the nonreporting committee; (iii) the names, addresses, and titles of its officers or if it has no officers, the names, addresses, and titles of its responsible leaders; (iv) a statement whether the nonreporting committee is a continuing one; (v) the name, office sought, and party affiliation of each candidate in the state of Washington whom the nonreporting committee is supporting, and, if such committee is supporting the entire ticket of any party, the name of the party; (vi) the ballot proposition supported or opposed in the state of Washington, if any, and whether such committee is in favor of or opposed to such proposition; (vii) the name and address of each person residing in the state of Washington or corporation which has a place of business in the state of Washington who has made one or more contributions to the nonreporting committee during the preceding twelve-month period, together with the money value and date of such contributions; (viii) the name and address of each person in the state of Washington to whom an expenditure was made by the nonreporting committee on behalf of a candidate or political committee in the aggregate amount of twenty-five dollars or more, the amount, date, and purpose of such

expenditure, and the total sum of such expenditures; (ix) such other information as the commission may by regulation prescribe, in keeping with the policies and purposes of this chapter.

(2) The campaign treasurer and the candidate shall certify the correctness of each report.

Sec. 8. Section 12, chapter 1, Laws of 1973 and RCW 42.17.120 are each amended to read as follows:

No contribution shall be made and no expenditure shall be incurred, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative, or other person in such a manner as to conceal the identity of the source of the contribution or in any other manner so as to effect concealment. No employer, or officer, director, manager, or official of any company, union, or association of any kind, or any other person acting on behalf of such individual, shall direct, coerce, compel, or otherwise force, or attempt to direct, coerce, compel, or otherwise force any employee or member to contribute to a designated candidate or political committee.

Sec. 9. Section 16, chapter 1, Laws of 1973 and RCW 42.17.160 are each amended to read as follows:

The following persons and activities shall be exempt from registration and reporting under RCW 42.17.150, 42.17.170, 42.17.190, and 42.17.200:

(1) Persons who limit their lobbying activities to appearance before public sessions of committees of the legislature, or public hearings of state agencies.

(2) News or feature reporting activities and editorial comment by working members of the press, radio, or television and the publication or dissemination thereof by a newspaper, book publisher, regularly published periodical, radio station, or television station.

(3) ~~((Lobbying))~~ Persons who lobby without compensation or other consideration for acting as a lobbyist: PROVIDED, Such person makes no expenditure for or on behalf of any member of the legislature or elected official or public officer or employee of the state of Washington in connection with such lobbying. Any person exempt under this subsection (3) may at his option register and report under this chapter.

(4) Persons who restrict their lobbying activities to no more than four days or parts thereof during any three-month period and whose total expenditures during such three-month period for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington in connection with such lobbying do not exceed fifteen dollars: PROVIDED, That the commission shall promulgate regulations to require disclosure by persons exempt under this subsection or their employers or entities which sponsor or coordinate the lobbying activities of such persons if it determines that such regulations are necessary to prevent frustration of the purposes of this chapter. Any person exempt under this subsection (4) may at his option register and report under this chapter.

~~((4))~~ (5) The governor.

~~((5))~~ (6) The lieutenant governor.

~~((6))~~ (7) Except as provided by RCW 42.17.190(1), members of the legislature.

~~((7))~~ (8) Except as provided by RCW 42.17.190(1), persons employed by the legislature for the purpose of aiding in the preparation of ~~(and)~~ enactment of legislation or the performance of legislative duties.

~~((8))~~ (9) Except as provided by RCW 42.17.190 elected state officers, state officers appointed by the governor subject to confirmation by the senate, and employees of any state agency.

Sec. 10. Section 17, chapter 1, Laws of 1973 and RCW 42.17.170 are each amended to read as follows:

(1) Any lobbyist registered under RCW 42.17.150 and any person who lobbies shall file with the commission periodic reports of his activities signed by both the lobbyist and the lobbyist's employers. The reports shall be made in the form and manner prescribed by the commission. They shall be due quarterly and shall be filed within thirty days after the end of the calendar quarter covered by the report. In addition to the quarterly reports, while the legislature is in session, any lobbyist who lobbies with respect to any legislation shall file interim weekly periodic reports for each week that the legislature is in session, which reports need be signed only by the lobbyist and which shall be filed on each Tuesday for the activities of the week ending on the preceding Saturday: PROVIDED, That it shall not be necessary to file any such interim weekly periodic reports for any week during which no expenditure reportable under subsection (2) hereof was made by the reporting person.

(2) Each such quarterly and weekly periodic report shall contain:

(a) The totals of all expenditures made or incurred by such lobbyist or on behalf of such lobbyist by the lobbyist's employer during the period covered by the report, which totals shall be segregated according to financial category, including food and refreshments; living accommodations; advertising; travel; telephone; contributions; office expenses, including rent and the salaries and wages paid for staff and secretarial assistance, or the proportionate amount thereof, paid or incurred for lobbying activities; and other expenses or services: PROVIDED HOWEVER, That unreimbursed personal living and travel expenses of a lobbyist not incurred directly or indirectly for any lobbying purpose need not be reported: AND PROVIDED FURTHER, That the interim weekly reports of legislative lobbyists for the legislative session need show only the expenditures for food and refreshments; living accommodations; travel; contributions; and such other categories as the commission shall prescribe by rule. Each individual expenditure of more than fifteen dollars for entertainment shall be identified by date, place, amount, and the names of all persons in the group partaking in or of such entertainment including any portion thereof attributable to the lobbyist's participation therein but without allocating any portion of such expenditure to individual participants.

(b) In the case of a lobbyist employed by more than one employer, the proportionate amount of such expenditures in each category incurred on behalf of each of his employers.

(c) An itemized listing of each such expenditure in the nature of a contribution of money or of tangible or intangible personal property to any legislator, or for or on behalf of any legislator. All contributions

made to, or for the benefit of, any legislator shall be identified by date, amount, and the name of the legislator receiving, or to be benefited by each such contribution.

(d) The subject matter of proposed legislation or rulemaking; the proposed rules, standards, rates, or other legislative enactments under chapter 34.04 RCW and chapter 28B.19 RCW (the state Administrative Procedure Acts) and the state agency considering the same; and the number of each senate or house bill, resolution, or other legislative activity which the lobbyist has been engaged in supporting or opposing during the reporting period: PROVIDED, That in the case of appropriations bills the lobbyist shall enumerate the specific section or sections which he supported or opposed.

Sec. 11. Section 18, chapter 1, Laws of 1973 and RCW 42.17.180 are each amended to read as follows:

Every employer of a lobbyist registered under this chapter during the preceding calendar year shall file with the commission on or before ~~(January)~~ March 31st of each year a statement disclosing for the preceding ~~(twelve months)~~ calendar year the following information:

(1) The name of each state elected official~~(s)~~ and the name of each candidate~~(s)~~ for state office who was elected to such office and any member of ~~(his)~~ the immediate family of such persons to whom such employer has paid any compensation in the amount of five hundred dollars or more during the preceding calendar year for personal employment or professional services, including professional services rendered by a corporation, partnership, joint venture, association, union, or other entity in which such person holds any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more, the value of such compensation in accordance with the reporting provisions set out in RCW 42.17.240(2), as now or hereafter amended, and the consideration given or performed in exchange for such compensation.

(2) The name of ~~(any corporation, partnership, joint venture, association, union or other entity of which any elected official, candidate, or any member of his immediate family is a member, officer, partner, director, associate or employee and to which the employer has paid compensation, the value of such compensation and the consideration given or performed in exchange for such compensation:)~~ each state elected official, successful candidate for state office or members of his immediate family to whom the lobbyist employer made expenditures, directly or indirectly, either through a lobbyist or otherwise, the amount of such expenditures and the purpose for such expenditures: PROVIDED, That, for the purposes of this subsection, the term expenditure shall not include any expenditure made by the employer in the ordinary course of business if such expenditure is not made for the purpose of influencing, honoring, or benefiting such elected official, successful candidate or member of his immediate family, as an elected official or candidate.

(3) The total expenditures made by the employer for lobbying purposes, whether through or on behalf of a registered lobbyist or otherwise.

(4) All contributions made to a candidate for state office, to a political committee supporting or opposing a candidate for state office, or to a political committee supporting or opposing a state-wide ballot proposition. Such contributions shall be identified by the name and the address of the recipient and the aggregate amount contributed to each such recipient.

(5) The name and address of each registered lobbyist employed by such employer.

(6) Such other information as the commission shall by rule prescribe.

Sec. 12. Section 19, chapter 1, Laws of 1973 and RCW 42.17.190 are each amended to read as follows:

(1) Every legislator and every committee of the legislature shall file with the commission quarterly reports listing the names, addresses, and salaries of all persons employed by the person or committee making the filing for the purpose of aiding in the preparation ~~(and)~~ or enactment of legislation or the performance of legislative duties of such legislator or committee during the preceding quarter. The reports shall be made in the form and the manner prescribed by the commission and shall be filed between the first and tenth days of each calendar quarter: PROVIDED, That the information required by this subsection may be supplied, insofar as it is available, by the chief clerk of the house of representatives or by the secretary of the senate on a form prepared by the commission.

(2) Unless expressly authorized by law, no state funds shall be used directly or indirectly for lobbying: PROVIDED, This shall not prevent state officers or employees from communicating with a member of the legislature on the request of that member; or communicating to the legislature, through the proper official channels, requests for legislative action or appropriations which are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties: PROVIDED FURTHER, That this subsection shall not apply to the legislative branch.

(3) Each state agency which expends state funds for lobbying pursuant to an express authorization by law or whose officers or employees communicate on legislation directly affecting the agency to members of the legislature on request of any member or communicate to the legislature requests for legislation ~~((or appropriations))~~ shall file with the commission quarterly statements providing the following information for the quarter just completed:

(a) The name of the agency filing the statement;

(b) The name, title, and job description and salary of each employee engaged in such legislative activity, a general description of the nature of his legislative activities, and the proportionate amount of his time spent on such activities~~(s)~~;

(c) In the case of any communications to a member of the legislature in response to a request from the member, the name of the member making the request and the nature and subject of the request).

The statements shall be in the form and the manner prescribed by the commission and shall be filed within thirty days after the end of the quarter covered by the report.



(4) The provisions of this section shall not relieve any state officer or any employee of a state agency from complying with other provisions of this chapter, if such officer or employee is not otherwise exempted.

Sec. 13. Section 24, chapter 1, Laws of 1973 and RCW 42.17.240 are each amended to read as follows:

(1) Every elected official (except president, vice president, and precinct committeemen) shall ~~((on or))~~ after January 1st and before January 31st of each year~~(:);~~; and every candidate, and every person appointed to fill a vacancy in an elective office (except for the offices of president, vice president, and precinct committeeman) shall, within two weeks of becoming a candidate, or being appointed to such elective office, file with the commission a written statement sworn as to its truth and accuracy stating for himself and all members of his immediate family, for the preceding twelve months: PROVIDED, That no individual shall be required to file more than once in any calendar year:

(a) Occupation, name of employer, and business address; and

(b) Each ~~((direct financial interest in excess of five thousand dollars in a))~~ bank or savings account or ~~((cash surrender value of any))~~ insurance policy in which any such person or persons owned a direct financial interest which exceeded five thousand dollars at any time during such period; each other item of intangible personal property in which any such person or persons owned a direct financial interest ((in excess of)), the value of which exceeded five hundred dollars during such period; and the name, address, nature of entity, nature and highest value of each such direct financial interest during the reporting period; and

(c) The name and address of each creditor to whom the value of five hundred dollars or more was owed; the original amount of each debt to each such creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each such debt; and the security given, if any, for each such debt: PROVIDED, That debts arising out of a "retail installment transaction" as defined in chapter 63.14 RCW (Retail Installment Sales Act) need not be reported; and

(d) Every public or private office, directorship and position as trustee held; and

(e) All persons for whom ~~((actual or proposed))~~ any legislation, or any rule~~((s))~~, rate~~((s))~~, or standard~~((s))~~ has been prepared, promoted, or opposed for current or deferred compensation: PROVIDED, That for the purposes of this subsection, "compensation" shall not include payments made to an elected official by the governmental entity for which such person serves as an elected official for his service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid; and

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of five hundred dollars or more; the value of such compensation; and the consideration given or performed in exchange for such compensation; and

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and with respect to each such entity: (i) With respect to a governmental unit in which the elected official holds any elective office, if such entity has received compensation in any form during the preceding twelve months from such governmental unit, the value of such compensation and the consideration given or performed in exchange for such compensation; (ii) The name of each governmental ((entity)) unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which such entity has received compensation in any form in the amount of five hundred dollars or more during the preceding twelve months and the consideration given or performed in exchange for such compensation((-and)); PROVIDED, The term "compensation" for purposes of this subsection (1)(g)(ii) shall not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative authority of the public entity providing such service; (iii) The name, address, and occupation of every other director and/or officer of any bank or commercial lending institution, the name of which is required to be reported under this subsection or all interest paid by a borrower on loans from and all interest paid to a depositor by such bank or commercial lending institution if such interest exceeds six hundred dollars; and

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for such interest; and

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for such interest, and the name and address of the person furnishing such consideration; and

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which a direct financial interest was held: PROVIDED, That if a description of such property has been included in a report previously filed, such property may be listed, for purposes of this provision, by reference to such previously filed report;

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds five thousand dollars, in which a corporation, partnership, firm, enterprise or other entity had a direct financial interest, in which corporation, partnership, firm or enterprise a ten percent or greater ownership interest was held; and

(l) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall by rule prescribe.

(2) Where an amount is required to be reported under subsection (1), paragraphs (a) through (k) of this section, it shall be sufficient to comply with such requirement to report whether the amount is less than one thousand dollars, at least one thousand dollars but less than five thousand dollars, at least five thousand dollars but less than ten thousand dollars, at least ten thousand dollars but less than twenty-five thousand dollars, or twenty-five thousand dollars or more. An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection shall be interpreted to prevent any person from filing more information or more detailed information than required.

(3) Elected officials and candidates reporting under this section shall not be required to file the statements required to be filed with the secretary of state under RCW 42.21.060.

Sec. 14. Section 26, chapter 1, Laws of 1973 and RCW 42.17.260 are each amended to read as follows:

(1) Each agency, in accordance with published rules, shall make available for public inspection and copying all public records. To the extent required to prevent an unreasonable invasion of personal privacy, an agency shall delete identifying details when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing.

(2) Each agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after ~~(June 30, 1972)~~ January 1, 1973:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute and the Constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(3) An agency need not maintain such an index, if to do so would be unduly burdensome, but it shall in that event:

(a) Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

(b) Make available for public inspection and copying all indexes maintained for agency use.

(4) A public record may be relied on, used, or cited as precedent by an agency against a party other than an agency and it may be invoked by the agency for any other purpose only if—

(a) It has been indexed in an index available to the public; or

(b) Parties affected have timely notice (actual or constructive) of the terms thereof.

(5) This chapter shall not be construed as giving authority to any agency to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies shall not do so unless specifically authorized or directed by law: **PROVIDED, HOWEVER,** That lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor: **PROVIDED FURTHER,** That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.04 RCW.

Sec. 15. Section 27, chapter 1, Laws of 1973 and RCW 42.17.270 are each amended to read as follows:

Public records shall be available ~~(to any person)~~ for inspection and copying, and agencies shall, upon request for identifiable public records, make them promptly available to any person. Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency. Agencies shall honor requests received by mail for identifiable public records unless exempted by provisions of this chapter.

Sec. 16. Section 29, chapter 1, Laws of 1973 and RCW 42.17.290 are each amended to read as follows:

Agencies shall adopt and enforce reasonable rules and regulations, consonant with the intent of this chapter to provide full public access to ~~(official)~~ public records, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency. Such rules and regulations shall provide for the fullest assistance to inquirers and the most timely possible action on requests for information. Nothing in this section shall relieve agencies from honoring requests received by mail for copies of identifiable public records.

Sec. 17. Section 31, chapter 1, Laws of 1973 and RCW 42.17.310 are each amended to read as follows:

(1) The following shall be exempt from public inspection and copying:

(a) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers, or parolees.

(b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(d) Specific intelligence information and specific investigative ((files)) records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who file complaints with investigative, law enforcement or penology agencies, except as the complainant may authorize: PROVIDED, That this subsection shall not apply to persons who file complaints with the public disclosure commission about any elected official or candidate for elective office: PROVIDED, FURTHER, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(2) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records, exempt under the provisions of this section, may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records, is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

Sec. 18. Section 32, chapter 1, Laws of 1973 and RCW 42.17.320 are each amended to read as follows:

Responses to requests for public records shall be made promptly by agencies. Denials of requests must be accompanied by a written statement of the specific reasons therefor. Agencies shall establish mechanisms for the most prompt possible review of decisions denying inspection, and such review shall be deemed completed at the end of the second business day following the denial of inspection and shall constitute final agency action for the purposes of judicial review.

Sec. 19. Section 33, chapter 1, Laws of 1973 and RCW 42.17.330 are each amended to read as follows:

The examination of any specific public record may be enjoined if, upon motion and affidavit, the superior court for the county in which the movant resides or in which the record is maintained, finds that such examination would clearly not be in the public interest and would substantially and irreparably damage any person, or would substantially and irreparably damage vital governmental functions.

Sec. 20. Section 34, chapter 1, Laws of 1973 and RCW 42.17.340 are each amended to read as follows:

(1) Upon the motion of any person having been denied an opportunity to inspect or copy a public record by an agency, the superior court in the county in which a record is maintained may require the responsible agency to show cause why it has refused to allow inspection or copying of a specific public record or class of records. The burden of proof shall be on the agency to establish that refusal to permit public inspection and copying is required.

(2) Judicial review of all agency actions taken or challenged under RCW 42.17.250 through 42.17.320 shall be de novo. Courts shall take into account the policy of this chapter that free and open examination of public records is in the public interest, even though such examination may cause inconvenience or embarrassment to public officials or others. Courts may examine any record in camera in any proceeding brought under this section.

(3) Any person who prevails against an agency in any action in the courts seeking the right to inspect or copy any public record shall be awarded all costs, including reasonable attorney fees, incurred in connection with such legal action. In addition, it shall be within the discretion of the court to award such person an amount not to exceed twenty-five dollars for each day that he was denied the right to inspect or copy said public record.

**NEW SECTION, Sec. 21.** There is added to chapter 42.17 RCW a new section to read as follows:

(1) Each lobbyist shall at the time he registers submit to the commission a recent three inch by five inch black-and-white photograph of himself together with the name of the lobbyist's employer, the length of his employment as a lobbyist before the legislature, a brief biographical description, and any other information he may wish to submit not to exceed fifty words in length; such photograph and information to be published at least annually in a booklet form by the commission for distribution to legislators and the public.

(2) There is established a fund to be known as the "lobbyists' booklet revolving fund" which shall consist of all receipts from sales of the booklets described in subsection (1) of this section. This fund shall be used for expenses of production and sale of such booklets and for no other purpose.

**NEW SECTION, Sec. 22.** There is added to chapter 42.17 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 42.17.260 through 42.17.340, as now or hereafter amended, no state college, university, library, or archive shall be required by chapter 42.17 RCW to make available for public inspection and copying any records or documents obtained by said college, university, library, or archive through or concerning any gift, grant, conveyance, bequest, or devise, the terms of which restrict or regulate public access to such records or documents: PROVIDED, That this section shall not apply to any public records as defined in RCW 40.14.010.

**Sec. 23.** Section 35, chapter 1, Laws of 1973 and RCW 42.17.350 are each amended to read as follows:

There is hereby established a "Public Disclosure Commission" which shall be composed of five members who shall be appointed by the governor, with the consent of the senate. All appointees shall be persons of the highest integrity and qualifications. No more than three members shall have an identification with the same political party. The original members shall be appointed within sixty days after the effective date of this act. The term of each member shall be five years except that the original five members shall serve initial terms of one, two, three, four, and five years, respectively, as designated by the governor. No member of the commission, during his tenure, shall (1) hold or campaign for elective office; (2) be an officer of any political party or political committee; (3) permit his name to be used, or make contributions, in support of or in opposition to any candidate or proposition; (4) participate in any way in any election campaign; or (5) lobby or employ or assist a lobbyist. No member shall be eligible for appointment to more than one full term. A vacancy on the commission shall be filled within thirty days of the vacancy by the governor, with the consent of the senate, and the appointee shall serve for the remaining term of his predecessor. A vacancy shall not impair the powers of the remaining members to exercise all of the powers of the commission. Three members of the commission shall constitute a quorum. The commission shall elect its own chairman and adopt its own rules of procedure in the manner provided in chapter 34.04 RCW. Any member of the commission may be removed by the governor, but only upon grounds of neglect of duty or misconduct in office.

((Members)) Each member shall ((serve without compensation, but)) receive per diem in the amount of forty dollars in lieu of expenses for each day or portion thereof spent in performance of his duties as a member of the commission, and in addition shall be reimbursed for ((necessary traveling and lodging)) travel expenses actually incurred while engaged in the business of the commission as provided in chapter 43.03 RCW. The compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state.

Nothing in this section shall prohibit the commission, or any of its members or staff on the authority of the commission, from responding to communications from the legislature or any of its members or from any state agency or from appearing and testifying at an open public meeting (as defined by RCW 42.30.030) or a hearing to adopt rules held pursuant to RCW 34.04.025 on matters directly affecting the exercise of their duties and powers under this chapter.

**Sec. 24.** Section 36, chapter 1, Laws of 1973 and RCW 42.17.360 are each amended as follows:

The commission shall:

(1) Develop and provide forms for the reports and statements required to be made under this chapter;  
 (2) Prepare and publish ((a manual)) on or before July 1, 1976, manuals and information setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter;

(3) Prepare and publish on or before July 1st of each year cumulative supplements to previously published manuals and information or revised versions of previously published forms, manuals, and information which shall incorporate all pertinent changes which occurred during the preceding calendar year;

(4) Prepare and publish bulletins announcing pertinent changes, as they occur, in previously published forms, manuals, information, and supplements;

(5) Distribute all necessary and appropriate forms, manuals, information, supplements, and bulletins to;

(a) Each candidate (except for the offices of president, vice president, and precinct committee person): PROVIDED, That such distribution shall be made upon receipt by the commission of the statement of political committee organization required by RCW 42.17.040 from each such candidate or upon each such

candidate's filing of a declaration of candidacy, whichever occurs first: PROVIDED, FURTHER, That such distribution may be made by the election officer with whom such declaration has been filed;

(b) Each political committee (except those which are only established to support the candidacy of a single individual): PROVIDED, That such distribution shall be made upon receipt by the commission of the statement of organization required by RCW 42.17.040 from such a political committee: PROVIDED, FURTHER, That such distribution may be made by the county auditor with whom such statement of organization has been filed;

(c) Each registered lobbyist: PROVIDED, That such distribution shall be made upon receipt by the commission of the lobbyist registration statement required by RCW 42.17.150 from such a lobbyist;

(d) Each legislator and each committee of the legislature: PROVIDED, That such distribution shall be made on or before January 1st of each year;

(e) Each sponsor of a grass roots lobbying campaign: PROVIDED, That such distribution shall be made upon receipt by the commission of the registration statement required by RCW 42.17.200 from such a sponsor;

(f) Each state agency: PROVIDED, That such distribution shall be made on or before January 1st of each year;

(g) Each public official who must file the report of financial affairs required by RCW 42.17.240: PROVIDED, That such distribution shall be made on or before December 1st of the year preceding the year during which such official is required to file such a report by RCW 42.17.240 and, in the case of a person appointed to fill a vacancy in an office, such distribution shall be made upon such appointment;

(h) Any other person, committee, or entity whose obligation to report under this chapter can be ascertained by the commission: PROVIDED, That such distribution shall be made according to such rules and regulations as the commission may prescribe;

(6) Respond in writing to each request for clarification or interpretation of this chapter within thirty days of receiving such a request: PROVIDED, That the commission, before responding in writing to a telephone request, may require the person making such a request to submit the request to the commission in written form: PROVIDED, FURTHER, That nothing in this subsection shall be construed so as to suspend the reporting obligation of any person making such a request during the time prior to such person's receipt of the commission's written response;

((3)) (7) Compile and maintain a current list of all filed reports and statements;

((4)) (8) Investigate whether properly completed statements and reports have been filed within the times required by this chapter;

((5)) (9) Upon complaint or upon its own motion, investigate and report apparent violations of this chapter to the appropriate law enforcement authorities: PROVIDED, That upon a finding by the commission that probable cause exists to believe that any party has committed an apparent violation of this chapter, said party shall be entitled to a hearing, and proceedings following the finding of probable cause shall be conducted pursuant to the provisions of chapter 34.04 RCW relating to contested cases;

((6)) (10) Prepare and publish an annual report to the governor as to the effectiveness of this chapter and its enforcement by appropriate law enforcement authorities;

(11) Working in conjunction with the senate and house standing committees on Constitution and elections, report to the next session of the legislature convened after January 1, 1976, recommendations with respect to the reporting requirements for elected officials. Such report shall contain a detailed analysis of the effect of present disclosure requirements and a review of federal and state banking laws and their relation to financial disclosure requirements. Such report must demonstrate that the recommendations contained therein will facilitate the purpose and intent of this chapter as set forth in RCW 42.17.010, as now or hereafter amended; and

((7)) (12) Enforce this chapter according to the powers granted it by law.

Sec. 25. Section 37, chapter 1, Laws of 1973 and RCW 42.17.370 are each amended to read as follows:

The commission is empowered to:

(1) Adopt, promulgate, amend, and rescind suitable administrative rules and regulations to carry out the policies and purposes of this chapter, which rules and regulations shall be promulgated pursuant to the provisions of chapter 34.04 RCW;

(2) Prepare and publish such reports and technical studies as in its judgment will tend to promote the purposes of this chapter, including reports and statistics concerning campaign financing, lobbying, financial interests of elected officials, and enforcement of this chapter;

(3) Make from time to time, on its own motion, audits and field investigations;

(4) Make public the ((fact that an alleged or apparent violation has occurred and the nature thereof)) time and date of any formal hearing set to determine whether a violation has occurred, the question or questions to be considered, and the results thereof;

(5) Administer oaths and affirmations, ((subpoena witnesses)) issue subpoenas, ((compel their attendance)) and compel attendance, take evidence and require the production of any books, papers, correspondence, memorandums, or other records which the commission deems relevant or material for the purpose of any investigation authorized under this chapter, or any other proceeding under this chapter;

(6) Adopt and promulgate a code of fair campaign practices;

(7) Relieve, by published regulation of general applicability, candidates or political committees of obligations to comply with the provisions of this chapter relating to election campaigns, if they have not received contributions nor made expenditures in connection with any election campaign of more than one thousand dollars; and

(8) Enact regulations prescribing reasonable requirements for keeping accounts of and reporting on a quarterly basis costs incurred by state agencies, counties, cities, and other municipalities and political subdivisions in preparing, publishing, and distributing legislative information. The term "legislative information", for the purposes of this subsection, means books, pamphlets, reports, and other materials prepared, published, or distributed at substantial cost, a substantial purpose of which is to influence the passage or defeat of any legislation. The state auditor in his regular examination of each agency under chapter 43.09 RCW shall review such regulations, accounts, and reports and make appropriate findings, comments, and recommendations in his examination reports concerning those agencies.

(9) The commission, after hearing, by order approved and ratified by a majority of the membership of the commission, may suspend or modify any of the reporting requirements hereunder in a particular case if it finds that literal application of this chapter works a manifestly unreasonable hardship and if it also finds that such suspension or modification will not frustrate the purposes of the chapter. Any such suspension or modification shall be only to the extent necessary to substantially relieve the hardship. The commission shall act to suspend or modify any reporting requirements only if it determines that facts exist that are clear and convincing proof of the findings required hereunder. Any citizen shall have standing to bring an action in Thurston county superior court to contest the propriety of any order entered hereunder within one year from the date of the entry of such order.

Sec. 26. Section 38, chapter 1, Laws of 1973 and RCW 42.17.380 are each amended to read as follows:

(1) The secretary of state, through his office, shall perform such ministerial functions as may be necessary to enable the commission to carry out its responsibilities under this chapter. The office of the secretary of state shall be designated as the place where the public may file papers or correspond with the commission and receive any form or instruction from the commission.

(2) The attorney general, through his office, shall supply such assistance as the commission may require in order to carry out its responsibilities under this chapter. The commission may employ attorneys who are neither the attorney general nor an assistant attorney general to carry out any function of the attorney general prescribed in this ((section)) chapter.

Sec. 27. Section 40, chapter 1, Laws of 1973 and RCW 42.17.400 are each amended to read as follows:

(1) The attorney general and the prosecuting authorities of political subdivisions of this state may bring civil actions in the name of the state for any appropriate civil remedy, including but not limited to the special remedies provided in RCW 42.17.390.

(2) The attorney general and the prosecuting authorities of political subdivisions of this state may investigate or cause to be investigated the activities of any person who there is reason to believe is or has been acting in violation of this chapter, and may require any such person or any other person reasonably believed to have information concerning the activities of such person to appear at a time and place designated in the county in which such person resides or is found, to give such information under oath and to produce all accounts, bills, receipts, books, paper and documents which may be relevant or material to any investigation authorized under this chapter.

(3) When the attorney general or the prosecuting authority of any political subdivision of this state requires the attendance of any person to obtain such information or the production of the accounts, bills, receipts, books, papers, and documents which may be relevant or material to any investigation authorized under this chapter, he shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by registered mail to the person at least fourteen days before the date fixed for attendance. Such order shall have the same force and effect as a subpoena, shall be effective state-wide, and, upon application of the attorney general or said prosecuting authority, obedience to the order may be enforced by any superior court judge in the county where the person receiving it resides or is found, in the same manner as though the order were a subpoena. The court, after hearing, for good cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend, or postpone all or any part of its provisions. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in writing, and such action shall be subject to review by the appellate courts by certiorari or other appropriate proceeding.

~~((4) Any person who has notified the attorney general in writing that there is reason to believe that some provision of this chapter is being or has been violated may himself bring in the name of the state any of the actions (hereinafter referred to as a citizen's action) authorized under this chapter if the attorney general has failed to commence an action hereunder within forty days after such notice and if the attorney general has failed to commence an action within ten days after a notice in writing delivered to the attorney general advising him that a citizen's action will be brought if the attorney general does not bring an action. If the person who brings the citizen's action prevails, he shall be entitled to one-half of any judgment awarded, and to the extent the costs and attorney's fees he has incurred exceed his share of the judgment, he shall be entitled to be reimbursed for such costs and fees by the state of Washington. PROVIDED; That in the case of a citizen's action which is dismissed and which the court also finds was brought without reasonable cause, the court may order the person commencing the action to pay all costs of trial and reasonable attorney's fees incurred by the defendant.))~~

(4) Any person who has notified the attorney general and the prosecuting attorney in the county in which the violation occurred in writing that there is reason to believe that some provision of this chapter is being or has been violated may himself bring in the name of the state any of the actions (hereinafter referred to as a citizen's action) authorized under this chapter. This citizen action may be brought only if the attorney general and the prosecuting attorney have failed to commence an action hereunder within

forty-five days after such notice and such person has thereafter further notified the attorney general and prosecuting attorney that said person will commence a citizen's action within ten days upon their failure so to do, and the attorney general and the prosecuting attorney have in fact failed to bring such action within ten days of receipt of said second notice. If the person who brings the citizen's action prevails, the judgment awarded shall escheat to the state, but he shall be entitled to be reimbursed by the state of Washington for costs and attorney's fees he has incurred: PROVIDED, That in the case of a citizen's action which is dismissed and which the court also finds was brought without reasonable cause, the court may order the person commencing the action to pay all costs of trial and reasonable attorney's fees incurred by the defendant.

(5) In any action brought under this section, the court may award to the state all costs of investigation and trial, including a reasonable attorney's fee to be fixed by the court. If the violation is found to have been intentional, the amount of the judgment, which shall for this purpose include the costs, may be trebled as punitive damages. If damages or trebled damages are awarded in such an action brought against a lobbyist, the judgment may be awarded against the lobbyist, and the lobbyist's employer or employers joined as defendants, jointly, severally, or both. If the defendant prevails, he shall be awarded all costs of trial, and may be awarded a reasonable attorney's fee to be fixed by the court to be paid by the state of Washington.

**NEW SECTION. Sec. 28.** This 1975 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.

**NEW SECTION. Sec. 29.** If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "government;" strike the balance of the title and insert: "amending section 1, chapter 1, Laws of 1973 and RCW 42.17.010; amending section 2, chapter 1, Laws of 1973 and RCW 42.17.020; amending section 4, chapter 1, Laws of 1973 and RCW 42.17.040; amending section 6, chapter 1, Laws of 1973 and RCW 42.17.060; amending section 8, chapter 1, Laws of 1973 and RCW 42.17.080; amending section 9, chapter 1, Laws of 1973 and RCW 42.17.090; amending section 12, chapter 1, Laws of 1973 and RCW 42.17.120; amending section 16, chapter 1, Laws of 1973 and RCW 42.17.160; amending section 17, chapter 1, Laws of 1973 and RCW 42.17.170; amending section 18, chapter 1, Laws of 1973 and RCW 42.17.180; amending section 19, chapter 1, Laws of 1973 and RCW 42.17.190; amending section 24, chapter 1, Laws of 1973 and RCW 42.17.240; amending section 26, chapter 1, Laws of 1973 and RCW 42.17.260; amending section 27, chapter 1, Laws of 1973 and RCW 42.17.270; amending section 29, chapter 1, Laws of 1973 and RCW 42.17.290; amending section 31, chapter 1, Laws of 1973 and RCW 42.17.310; amending section 32, chapter 1, Laws of 1973 and RCW 42.17.320; amending section 33, chapter 1, Laws of 1973 and RCW 42.17.330; amending section 34, chapter 1, Laws of 1973 and RCW 42.17.340; amending section 35, chapter 1, Laws of 1973 and RCW 42.17.350; amending section 36, chapter 1, Laws of 1973 and RCW 42.17.360; amending section 37, chapter 1, Laws of 1973 and RCW 42.17.370; amending section 38, chapter 1, Laws of 1973 and RCW 42.17.380; amending section 40, chapter 1, Laws of 1973 and RCW 42.17.400; and adding new sections to chapter 42.17 RCW; creating new sections; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. King, the House refused to concur in the Senate amendments to Engrossed Second Substitute House Bill No. 827, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Kuehnle, King and Fortson as conferees on Engrossed Second Substitute House Bill No. 827.

#### MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, and asks the House to recede therefrom, and said bill, together with the Senate amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Randall, the House refused to recede from its amendments to Engrossed Substitute Senate Bill No. 2736, and asked the Senate for a conference thereon.

## JOURNAL OF THE HOUSE

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Erickson, Newhouse and Sommers as conferees on Engrossed Substitute Senate Bill No. 2736.

## MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 866, and the President has appointed as members of said conference committee: Senators Donohue, Newschwander, Odegaard.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Friday, June 6, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## EIGHTY-FIFTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Friday, June 6, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representatives Adams, Blair, Curtis, Hurley (Margaret), Kalich, Luders, Maxie, May, Nelson, North, Thompson, Tilly and Wilson. Representatives Adams, Blair, Curtis, Kalich, May, Nelson, Thompson, Tilly and Wilson were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Katy Ballard and Chuck Langen. Prayer was offered by Reverend Henry S. Rahn of the First Baptist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2092,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### SIGNED BY THE SPEAKER

The Speaker (Mr. Charette presiding) announced that the Speaker had signed:

SUBSTITUTE HOUSE BILL NO. 211,  
SUBSTITUTE SENATE BILL NO. 2092.

### APPOINTMENT OF CONFEREES

The Speaker (Mr. Charette presiding) appointed Representatives Greengo, Smith (Rick) and Becker as conferees on Engrossed House Bill No. 49.

### MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 173, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report, is herewith transmitted.

Bill Gleason, Assistant Secretary.

### REPORT OF FREE CONFERENCE COMMITTEE

June 5, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 173, requiring school board directors when making available rules regarding pupil conduct, discipline, and rights to spell out rights and authority of teachers, have had the same under consideration, and we recommend that the Senate amendment adding three new sections following section 1 be adopted; that the conforming title amendment to line 3 of the title be adopted; that the Senate amendment to lines 22 and 23 not be adopted; and that the following amendment be adopted:

On page 1, line 20 after "28A.04.132." strike "When" and insert "Commencing with the 1976-77 school year, when"

Signed by Senators Stortini, Gould, Odegaard; Representatives Clemente, Bauer.

## MOTION

On motion of Mr. Clemente, the report of the Free Conference Committee was adopted.

**FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE**

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Engrossed House Bill No. 173 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 173 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 77; nays, 0; not voting, 21.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, McCormick, McKibbin, Moon, Moreau, Newhouse, Pardini, Paris, Parker, Patterson, Perry, Peterson, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Valle, Warnke, Whiteside, Wjahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Bagnariol, Blair, Curtis, Fischer, Hurley M., Kalich, Kuehne, Luders, Matthews, Maxie, May, Nelson, North, O'Brien, Polk, Shipoch, Thompson, Tilly, Williams, Wilson.

Engrossed House Bill No. 173 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 32, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the report of the Free Conference Committee, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 5, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 32, conforming state minimum wage laws to federal laws, have had the same under consideration, and we recommend that the Senate amendments to page 4, line 8 and page 4, line 15 be adopted.

We further recommend that the Senate amendments to page 6, line 26, page 6, beginning on line 27 and page 1, line 6 of the title not be adopted.

We further recommend that the following amendments be adopted:

On page 2, line 19 after "director" insert ": PROVIDED, HOWEVER, That such terms shall be defined and delimited by the state personnel board pursuant to chapter 41.06 RCW and the higher education personnel board pursuant to chapter 28B.16 RCW for employees employed under their respective jurisdictions"

On page 3, line 13 after "legislature" add two new subparagraphs as follows:

"(k) All vessel operating crews of the Washington state ferries operated by the state highway commission.

(l) Any individual employed as a seaman on a vessel other than an American vessel."

On page 5, line 30 after "person" strike "defined in RCW 49.46.010(5)(l)" and insert "exempted pursuant to RCW 49.46.010(5)"

On page 5, line 31 after "amended" insert "nor to any individual employed as a seaman whether or not the seaman is employed on a vessel other than an American vessel"

On page 6, line 26, after "consumption" insert ": PROVIDED FURTHER, That in any industry in which federal law provides for an overtime payment based on a work week other than forty hours then provisions of this section shall not apply; however the provisions of the federal law regarding overtime payment based on a work week other than forty hours shall nevertheless apply to employees covered by this section without regard to the existence of actual federal jurisdiction over the industrial activity of the

particular employer within this state: PROVIDED FURTHER, That 'industry' as that term is used in this section shall mean a trade, business, industry, or other activity, or branch, or group thereof, in which individuals are gainfully employed (Section 3[h]) of the Fair Labor Standards Act of 1938, as amended (Public Law 93-259)"

On page 6, line 30 after "effect" strike "immediately" and insert "September 1, 1975"

On page 1, beginning on line 6 of the title after "RCW;" strike the remainder of the title and insert "declaring an emergency and providing an effective date."

Signed by Senators Ridder, Morrison, Wilson; Representatives Savage, Parker.

#### MOTION

Mr. Parker moved that the Report of the Free Conference Committee be adopted.

Mr. Parker spoke in favor of the motion, and Mr. Newhouse spoke against it.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "I guess a number of us are guilty of not being able to follow this as closely as we would like, but I would like you to explain to me the provisions in this bill as written by the conferees relating to compensatory time off where the employee chooses compensatory time off in lieu of overtime pay."

Mr. Parker: "I probably should ask you to explain it since the House adopted in the conference committee report the amendments that the Senate put on, which were identical to the ones that you originally proposed in the House. With the passage of the Free Conference Committee Report there wouldn't be any change in the original amendment that you proposed here that was later adopted in the Senate and we accepted. It said that an employee could request compensatory time in lieu of time and a half payment; it was up to the employee to request that."

Mr. Kuehnle: "You are saying then that compensatory language is still in the bill?"

Mr. Parker: "Yes, Representative Kuehnle, it is."

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Pardini.

Mr. Pardini: "Is the emergency clause which would put employers in violation of this law before they had the actual law dispersed to them still a part of this bill?"

Mr. Parker: "No, it is not. If you will look on the second page of the agenda for today, about the end of the report on this bill, there is an amendment that the Free Conference Committee is proposing to page 6, line 30 that strikes the emergency clause and inserts the effective date of the act, September 1, 1975."

The report of the Free Conference Committee was adopted.

Mr. O'Brien assumed the Chair.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 32 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 32 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 55; nays, 23; not voting, 20.

Voting yea: Representatives Bauer, Bausch, Becker, Bender, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Kilbury, King, Knowles, Laughlin, Lysen, Martinis, McCormick, McKibbin, Moon, Moreau, O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Chandler, Deccio, Dunlap, Flanagan, Freeman, Gilleland, Haley, Haussler, Hayner, Jastad, Jueling, Kuehnle, Lee, Newhouse, Patterson, Peterson, Polk, Schumaker, Whiteside, Zimmerman.

Not voting: Representatives Adams, Bagnariol, Berentson, Blair, Curtis, Eikenberry, Hansey, Hurley M., Kalich, Leckenby, Luders, Matthews, Maxie, May, Nelson, North, Shinpoch, Thompson, Tilly, Wilson.

Engrossed Substitute House Bill No. 32 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION FOR RECONSIDERATION

Mr. Pardini, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed Substitute House Bill No. 32 as amended by the Free Conference Committee passed the House.

Mr. Pardini spoke in favor of the motion, and Mr. Parker spoke against it.

#### POINT OF ORDER

Mr. Pardini: "Representative Parker is going far, far afield in his remarks."

The Speaker (Mr. O'Brien presiding): "Representative Parker, will you please confine your remarks to the contents of the conference report?"

Mr. Parker continued his remarks in opposition to the motion for reconsideration.

Representatives Kuehnle, Leckenby and Bond spoke in favor of the motion, and Mr. Savage spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion for reconsideration of the vote by which Engrossed Substitute House Bill No. 32 as amended by the Free Conference Committee passed the House, and the motion was lost by the following vote: Yeas, 32; nays, 50; not voting, 16.

Voting yea: Representatives Amen, Barnes, Berentson, Bond, Brown, Chandler, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Haussler, Hayner, Hendricks, Jastad, Juelling, Kuehnle, Leckenby, Lee, Matthews, Newhouse, Pardini, Patterson, Peterson, Polk, Schumaker, Whiteside, Zimmerman.

Voting nay: Representatives Bauer, Bausch, Becker, Bender, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hawkins, Hurley G. S., Kilbury, King, Knowles, Laughlin, Lysen, Martinis, McCormick, McKibbin, Moon, Moreau, O'Brien, Parker, Perry, Randall, Savage, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Bagnariol, Blair, Curtis, Hurley M., Kalich, Luders, Maxie, May, Nelson, North, Paris, Shinpoch, Thompson, Tilly, Wilson.

#### MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The Senate refuses to grant the request of the House for a conference on ENGROSSED HOUSE BILL NO. 154, and adheres to its position on the Senate amendments thereto, and insists that the House concur therewith, and said bill, together with the Senate amendments, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Warnke, the House receded from its position and concurred in the Senate amendments to Engrossed House Bill No. 154.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 154 as amended by the Senate.

Mr. Warnke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 154 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 1; not voting, 18.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Deccio, Douthwaite,

Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Jueling, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kuehne.

Not voting: Representatives Adams, Bagnariol, Blair, Conner, Curtis, Hurley M., Kalich, Knowles, Luders, Maxie, May, Nelson, North, Pardini, Shinpoch, Thompson, Tilly, Wilson.

Engrossed House Bill No. 154 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 612, and asks the House for a conference thereon, and the President has appointed as Senate members of said conference committee: Senators Van Hollebeke, Jones, Peterson.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Gallagher, the House granted the request of the Senate for a conference on Engrossed House Bill No. 612.

#### MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2346, and asks the House for a conference thereon, and the President has appointed as Senate members of said conference committee: Senators Stortini, Matson, Woody.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Bauer, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 2346.

#### MESSAGE FROM THE SENATE

June 5, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 1078, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference Report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

May 30, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1078, have had the same under consideration, and we recommend that the Senate amendments do not be adopted, and the following amendments be adopted:

Strike all material after the enacting clause and insert the following:

"Section 1. Section 3, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.030 are each amended to read as follows:

(1) There is hereby created the forest practices board of the state of Washington as an agency of state government consisting of members as follows:

- (a) The commissioner of public lands or his designee;
- (b) The director of the department of commerce and economic development or his designee;
- (c) The director of the department of agriculture or his designee;
- (d) The director of the department of ecology or his designee;

(e) An elected member of a county legislative authority appointed by the governor: PROVIDED, That such member's service on the board shall be conditioned on his continued service as an elected county official; and

(f) ~~((Four))~~ Six members of the general public appointed by the governor, one of whom shall be an owner of not more than five hundred acres of forest land, and one of whom shall be an independent logging contractor.

(2) The members of the initial board appointed by the governor shall be appointed so that the term of one member shall expire December 31, 1975, the term of one member shall expire December 31, 1976, the term of one member shall expire December 31, 1977, ~~((and))~~ the terms of two members shall expire December 31, 1978, and the terms of two members shall expire December 31, 1979. Thereafter, each member shall be appointed for a term of four years. Vacancies on the board shall be filled in the same manner as the original appointments. Each member of the board shall continue in office until his successor is appointed and qualified. The commissioner of public lands or his designee shall be the chairman of the board.

(3) The board shall meet at such times and places as shall be designated by the chairman or upon the written request of the majority of the board. The principal office of the board shall be at the state capital.

(4) Members of the board, except public employees and elected officials, shall receive forty dollars per diem for each day or major portion thereof actually spent in attending to their duties as board members and in addition they shall be entitled to reimbursement for subsistence and actual travel expenses incurred in the performance of their duties in the same manner as provided for state officials generally in chapter 43.03 RCW as now or hereafter amended.

(5) The board may employ such clerical help and staff pursuant to chapter 41.06 RCW as is necessary to carry out its duties.

Sec. 2. Section 5, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.050 are each amended to read as follows:

(1) The board shall establish by rule which forest practices shall be included within each of the following classes:

Class I: Minimal or specific forest practices that have no direct potential for damaging a public resource that may be conducted without submitting an application ~~((PROVIDED, That no forest practice shall be within Class I if it has a direct potential for damaging a public resource.))~~ or a notification;

Class II: Forest practices ~~((for))~~ which ~~((the application must be approved or disapproved by the department within fourteen calendar days from the date the department receives the application.))~~ have a less than ordinary potential for damaging a public resource that may be conducted without submitting an application and may begin five calendar days, or such lesser time as the department may determine, after written notification by the operator, in the manner, content, and form as prescribed by the department, is received by the department. Class II shall not include forest practices:

- (a) On lands platted after January 1, 1960, or being converted to another use;
- (b) Which require approvals under the provisions of the Hydraulics Act, RCW 75.20.100;
- (c) Within "shorelines of the state" as defined in RCW 90.58.030; or
- (d) Excluded from Class II by the board;

Class III: Forest practices ~~((for which the))~~ other than those contained in Class I, II, or IV. A Class III application must be approved or disapproved by the department within ~~((thirty))~~ fourteen calendar days from the date the department receives the application;

Class IV: Forest practices other than those contained in Class I or II: (a) On lands platted after January 1, 1960, (b) on lands being converted to another use, (c) on lands which, pursuant to RCW 76.09.070 as now or hereafter amended, are not to be reforested because of the likelihood of future conversion to urban development, and/or (d) which have a potential for a substantial impact on the environment and therefore require an evaluation by the department as to whether or not a detailed statement must be prepared pursuant to the State Environmental Policy Act, chapter 43.21C RCW. Such evaluation shall be made within ten days from the date the department receives the application: PROVIDED, That nothing herein shall be construed to prevent any local or regional governmental entity from determining that a detailed statement must be prepared for an action pursuant to a Class IV forest practice taken by that governmental entity concerning the land on which forest practices will be conducted. A Class IV application must be approved or disapproved by the department within thirty calendar days from the date the department receives the application, unless the department determines that a detailed statement must be made, in which case the application must be approved or disapproved by the department within sixty calendar days from the date the department receives the application, unless the commissioner of public lands, through the promulgation of a formal order, determines that the process cannot be completed within such period.

Forest practices under Classes I, II, and III are exempt from the requirements for preparation of a detailed statement under the State Environmental Policy Act.

(2) No Class II ~~((or)),~~ Class III, or Class IV forest practice shall be commenced or continued after January 1, 1975, unless the department has received a notification with regard to a Class II forest practice or approved an application with regard to a Class III or Class IV forest practice containing all information required by RCW 76.09.060 as now or hereafter amended: PROVIDED, That any person commencing a forest practice during 1974 may continue such forest practice until April 1, 1975, if such person has submitted an application to the department prior to January 1, 1975: PROVIDED, FURTHER, That in the event forest practices regulations necessary for the scheduled implementation of this chapter and RCW

90.48.420 have not been adopted in time to meet such schedules, the department shall have the authority to regulate forest practices and approve applications on such terms and conditions consistent with this chapter and RCW 90.48.420 and the purposes and policies of RCW 76.09.010 until applicable forest practices regulations are in effect.

(3) If a notification or application is delivered in person to the department by the operator or his agent, the department shall immediately provide a dated receipt thereof. In all other cases, the department shall immediately mail a dated receipt to the operator.

(4) Forest practices shall be conducted in accordance with the forest practices regulations, orders and directives as authorized by this chapter or the forest practices regulations, and the terms and conditions of any approved applications.

(5) The department of natural resources shall notify the applicant in writing of either its approval of the application or its disapproval of the application and the specific manner in which the application fails to comply with the provisions of this section or with the forest practices regulations. Except as provided otherwise in this section, if the department fails to either approve or disapprove an application or any portion thereof within the applicable time limit, ~~((then, on petition of the applicant the chairman of the appeals board shall issue an order directing the department to approve or disapprove the application within five days or issue a temporary approval until the application is either finally approved or disapproved: PROVIDED, That the temporary approval shall be issued only if it meets the conditions set by the board for such temporary approvals))~~ the application shall be deemed approved and the operation may be commenced: PROVIDED, That this provision shall not apply to applications which are neither approved nor disapproved pursuant to the provisions of subsection (7) of this section: PROVIDED, FURTHER, That if seasonal field conditions prevent the department from being able to properly evaluate the application, the department may issue an approval conditional upon further review within sixty days: PROVIDED, FURTHER, That the department shall have until April 1, 1975, to approve or disapprove an application involving forest practices allowed to continue to April 1, 1975, under the provisions of subsection (2) of this section. Upon receipt of any notification or any satisfactorily completed application the department shall in any event no later than two business days after such receipt transmit a copy to the departments of ecology, game, and fisheries, and to the county in which the forest practice is to be commenced. Any comments by such agencies shall be directed to the department of natural resources.

~~((4))~~ (6) If the county believes that an application is inconsistent with this chapter, the forest practices regulations, or any local authority consistent with RCW 76.09.240 as now or hereafter amended, it may so notify the department and the applicant, specifying its objections.

~~((5))~~ (7) The department shall not approve portions of applications to which a county objects if:

(a) The department receives written notice from the county of such objections within ~~((seven business days for a Class II or))~~ fourteen business days ~~((for a Class III application))~~ from the time of ~~((its))~~ transmittal of the application to the county, or one day before the department acts on the application, whichever is later; and

(b) The objections relate to lands either:

- (i) Platted after January 1, 1960; or
- (ii) Being converted to another use.

The department shall either disapprove those portions of such application or appeal the county objections to the appeals board. If the objections related to subparagraphs (b) (i) and (ii) of this subsection are based on local authority consistent with RCW 76.09.240 as now or hereafter amended, the department shall disapprove the application until such time as the county consents to its approval or such disapproval is reversed on appeal. The applicant shall be a party to all department appeals of county objections. Unless the county either consents or has waived its rights under this subsection, the department shall not approve portions of an application affecting such lands until the minimum time for county objections has expired.

~~((6))~~ (8) In addition to any rights under the above paragraph, the county may appeal any department approval of an application with respect to any lands within its jurisdiction. The appeals board may suspend the department's approval in whole or in part pending such appeal where there exists potential for immediate and material damage to a public resource.

~~((7))~~ (9) Appeals under this section shall be made to the appeals board in the manner and time provided in RCW 76.09.220(9). In such appeals there shall be no presumption of correctness of either the county or the department position.

~~((8))~~ (10) The department shall, within four business days notify the county of all notifications, approvals, and disapprovals of an application affecting lands within the county, except to the extent the county has waived its right to such notice.

~~((9))~~ (11) A county may waive in whole or in part its rights under this section, and may withdraw or modify any such waiver, at any time by written notice to the department.

Sec. 3. Section 6, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.060 are each amended to read as follows:

(1) The department shall prescribe the form and contents of the notification and application. The forest practices regulations shall specify by whom and under what conditions the notification and application shall be signed. The application or notification shall be delivered in person or sent by certified mail to the department. The information required may include, but shall not be limited to:

- (a) Name and address of the forest land owner, timber owner, and operator;
- (b) Description of the proposed forest practice or practices to be conducted;
- (c) Legal description of the land on which the forest practices are to be conducted;

(d) Planimetric and topographic maps showing location and size of all lakes and streams and other public waters in and immediately adjacent to the operating area and showing all existing and proposed roads and major tractor roads;

(e) Description of the silvicultural, harvesting, or other forest practice methods to be used, including the type of equipment to be used and materials to be applied;

(f) Proposed plan for reforestation and for any revegetation necessary to reduce erosion potential from roadsides and yarding roads, as required by the forest practices regulations;

(g) Soil, geological, and hydrological data with respect to forest practices;

(h) The expected dates of commencement and completion of all forest practices specified in the application;

(i) Provisions for continuing maintenance of roads and other construction or other measures necessary to afford protection to public resources; and

(j) An affirmation that the statements contained in the notification or application are true.

(2) At the option of the applicant, the application or notification may be submitted to cover a single forest practice or any number of forest practices within reasonable geographic or political boundaries as specified by the department. Long range plans may be submitted to the department for review and consultation.

(3) The application shall indicate whether any land covered by the application will be converted or is intended to be converted to a use other than commercial timber production within three years after completion of the forest practices described in it. (a) If the application states that any such land will be or is intended to be so converted:

(i) The reforestation requirements of this chapter and of the forest practices regulations shall not apply if the land is in fact so converted unless applicable alternatives or limitations are provided in forest practices regulations issued under RCW 76.09.070 as now or hereafter amended;

(ii) Completion of such forest practice operations shall be deemed conversion of the lands to another use for purposes of chapters 84.28, 84.33, and 84.34 RCW unless the conversion is to a use permitted under a current use tax agreement permitted under chapter 84.34 RCW;

(iii) The forest practices described in the application are subject to applicable county, city and regional governmental authority permitted under RCW 76.09.240 as now or hereafter amended as well as the forest practices regulations.

(b) If the application does not state that any land covered by the application will be or is intended to be so converted:

(i) For six years after the date of the application the county or city and regional governmental entities may deny any or all applications for permits or approvals, including building permits and subdivision approvals, relating to nonforestry uses of land subject to the application;

(ii) Failure to comply with the reforestation requirements contained in any final order or decision shall constitute a removal from classification under the provisions of RCW 84.28.065, a removal of designation under the provisions of RCW 84.33.140, and a change of use under the provisions of RCW 84.34.080, and, if applicable, shall subject such lands to the payments and/or penalties resulting from such removals or changes; and

(iii) Conversion to a use other than commercial timber operations within three years after completion of the forest practices without the consent of the county or municipality shall constitute a violation of each of the county, municipal and regional authorities to which the forest practice operations would have been subject if the application had so stated.

~~((4))~~ (c) The application shall be either signed by the ~~((forest))~~ land owner or accompanied by a statement signed by the ~~((forest))~~ land owner indicating his intent with respect to conversion and acknowledging that he is familiar with the effects of this subsection.

~~((5))~~ (4) Whenever an approved application authorizes a forest practice which, because of soil condition, proximity to a water course or other unusual factor, has a ~~((greater than ordinary))~~ potential for causing material damage to a public resource, as determined by the department, the applicant shall, when requested on the approved application, notify the department ~~((five))~~ two days before the commencement of actual operations.

~~((6))~~ (5) Before ~~((commencing))~~ the operator commences any forest practice in a manner or to an extent significantly different from that described in a previously approved application or notification, ~~((the applicant shall submit))~~ there shall be submitted to the department a new application or notification form in the manner set forth in this section.

~~((7))~~ (6) The notification to or the approval given by the department to an application to conduct a forest practice shall be effective for a term of one year from the date of approval or notification and shall not be renewed unless a new application is filed and approved or a new notification has been filed.

~~((8))~~ (7) Notwithstanding any other provision of this section, no prior application or notification shall be required for any emergency forest practice necessitated by fire, flood, windstorm, earthquake, or other emergency as defined by the board, but the operator shall submit an application or notification, whichever is applicable, to the department within forty-eight hours after commencement of such practice.

Sec. 4. Section 7, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.070 are each amended to read as follows:

After the completion of a logging operation, satisfactory reforestation as defined by the rules and regulations promulgated by the board shall be completed within three years: PROVIDED, That a longer period may be authorized if seed or seedlings are not available: PROVIDED FURTHER, That a period of



up to five years may be allowed where a natural regeneration plan is approved by the department. Upon the completion of a reforestation operation a report on such operation shall be filed with the department of natural resources. Within ~~(six)~~ twelve months of receipt of such a report the department shall inspect the reforestation operation, and shall determine either that the reforestation operation has been properly completed or that further reforestation and inspection is necessary.

The forest practices regulations may provide alternatives to or limitations on the applicability of reforestation requirements with respect to forest lands being converted in whole or in part to another use which is compatible with timber growing. The forest practices regulations may identify classifications and/or areas of forest land that have the likelihood of future conversion to urban development within a ten year period. The reforestation requirements may be modified or eliminated on such lands: PROVIDED, That such identification and/or such conversion to urban development must be consistent with any local or regional land use plans or ordinances.

Sec. 5. Section 8, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.080 are each amended to read as follows:

(1) The department shall have the authority to serve upon an operator a stop work order which shall be a final order of the department if:

- (a) There is any violation of the provisions of this chapter or the forest practices regulations; or
- (b) There is a deviation from the approved application; or

(c) Immediate action is necessary to prevent continuation of or to avoid material damage to a public resource.

(2) The stop work order shall set forth:

(a) The specific nature, extent, and time of the violation, deviation, damage, or potential damage;

(b) An order to stop all work connected with the violation, deviation, damage, or potential damage;

(c) The specific course of action needed to correct such violation or deviation or to prevent damage and to correct and/or compensate for damage to public resources which has resulted from any violation, unauthorized deviation, or wilful or negligent disregard for potential damage to a public resource; and/or those courses of action necessary to prevent continuing damage to public resources where the damage is resulting from the forest practice activities but has not resulted from any violation, unauthorized deviation, or negligence; and

(d) The right of the operator to a hearing before the appeals board.

The department shall immediately file a copy of such order with the appeals board and mail a copy thereof to the timber owner and forest land owner at the addresses shown on the application. The operator, timber owner, or forest land owner may commence an appeal to the appeals board within fifteen days after service upon the operator. If such appeal is commenced, a hearing shall be held not more than twenty days after copies of the notice of appeal were filed with the appeals board. Such proceeding shall be a contested case within the meaning of chapter 34.04 RCW. The operator shall comply with the order of the department immediately upon being served, but the appeals board if requested shall have authority to continue or discontinue in whole or in part the order of the department under such conditions as it may impose pending the outcome of the proceeding.

Sec. 6. Section 9, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.090 are each amended to read as follows:

If a violation, a deviation, material damage or potential for material damage to a public resource has occurred and the department determines that a stop work order is unnecessary, then the department shall issue and serve upon the operator or land owner a notice, which shall clearly set forth:

(1) (a) The specific nature, extent, and time of failure to comply with the approved application; or identifying the damage or potential damage; and/or

(b) The relevant provisions of this chapter or of the forest practice regulations relating thereto;

(2) The right of the operator or landowner to a hearing before the department; and

(3) The specific course of action ordered by the department to be followed by the operator to correct such failure to comply and to prevent, correct and/or compensate for material damage to public resources which resulted from (forest practices) any violation, unauthorized deviation, or wilful or negligent disregard for potential damage to a public resource; and/or those courses of action necessary to prevent continuing damage to public resources where the damage is resulting from the forest practice activities but has not resulted from any violation, unauthorized deviation, or negligence.

The department shall mail a copy thereof to the forest land owner and the timber owner at the addresses shown on the application, showing the date of service upon the operator. Such notice to comply shall become a final order of the department ~~(and)~~: PROVIDED, That no direct appeal to the appeals board will be allowed from such final order. Such operator shall undertake the course of action so ordered by the department unless, within fifteen days after the date of service of such notice to comply, the operator, forest land owner, or timber owner, shall request the department in writing to schedule a hearing. If so requested, the department shall schedule a hearing on a date not more than twenty days after receiving such request. Within ten days after such hearing, the department shall issue a final order either withdrawing its notice to comply or clearly setting forth the specific course of action to be followed by such operator. Such operator shall undertake the course of action so ordered by the department unless within thirty days after the date of such final order, the operator, forest land owner, or timber owner appeals such final order to the appeals board.

No person shall be under any obligation under this section to prevent, correct, or compensate for any damage to public resources which occurs more than one year after the date of completion of the forest

practices operations involved exclusive of reforestation, unless such forest practices were not conducted in accordance with forest practices rules and regulations: PROVIDED, That this provision shall not relieve the forest landowner from any obligation to comply with forest practices rules and regulations pertaining to providing continuing road maintenance. No action to recover damages shall be taken under this section more than two years after the date the damage involved occurs.

Sec. 7. Section 10, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.100 are each amended to read as follows:

If the department of ecology determines that a person has failed to comply with the forest practices regulations relating to water quality protection, and that the department of natural resources has not issued a stop work order or notice to comply, the department of ecology shall inform the department thereof. If the department of natural resources fails to take authorized enforcement action within twenty-four hours under RCW 76.09.080, 76.09.090, 76.09.120, or 76.09.130, ~~(and 76.09.178);~~ the department of ecology may ~~((take such action, except that))~~ petition to the chairman of the appeals board, who shall, within forty-eight hours, either deny the petition or direct the department of natural resources to immediately issue a stop work order or notice to comply, or to impose a penalty. No civil or criminal penalties shall be imposed for past actions or omissions if such actions or omissions were conducted pursuant to an approval or directive of the department of natural resources.

Sec. 8. Section 14, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.140 are each amended to read as follows:

(1) The department of natural resources, through the attorney general, may take any necessary action to enforce any final order or final decision, or to enjoin any forest practices by any person for a one year period after such person has failed to comply with a final order or a final decision.

(2) ~~((The department of ecology, through the attorney general, may take any necessary action to enforce any final order of such department or any final decision of the pollution control hearings board relating to water quality protection, or to enjoin any forest practices relating to water quality protection by any person for a one year period after such person has failed to comply with a final order or final decision.~~

~~((3))~~ A county may bring injunctive, declaratory, or other actions for enforcement for forest practice activities within its jurisdiction in the superior court as provided by law against the department ~~((or the department of ecology)),~~ the forest land owner, timber owner or operator to enforce the forest practice regulations or any final order of the department, or ~~((the department of ecology)),~~ the appeals board ~~((or the pollution control hearings board)): PROVIDED, That no civil or criminal penalties shall be imposed for past actions or omissions if such actions or omissions were conducted pursuant to an approval or directive of the department of natural resources ((or department of ecology)): AND PROVIDED FURTHER, That such actions shall not be commenced unless the department ((or the department of ecology)) fails to take appropriate action after ten days written notice to the ((respective)) department by the county of a violation of the forest practices regulations or final orders of the department ((or the department of ecology)) or the appeals board ((or the pollution control hearings board)).~~

Sec. 9. Section 17, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.170 are each amended to read as follows:

Every person who fails to comply with any provision of RCW 76.09.010 through 76.09.280 as now or hereafter amended or of the forest practices regulations shall be subject to a penalty in an amount of not more than ~~((one thousand))~~ five hundred dollars ~~((per day))~~ for every such violation. Each and every such violation shall be a separate and distinct offense. In case of a ~~((continuing violation))~~ failure to comply with a notice pursuant to RCW 76.09.090 as now or hereafter amended or a stop work order, every day's continuance shall be a separate and distinct violation. Every person who through an act of commission or omission procures, aids or abets in the violation shall be considered to have violated the provisions of this section and shall be subject to the penalty herein provided for: PROVIDED, That no penalty shall be imposed under this section upon any governmental official, an employee of any governmental department, agency, or entity, or a member of any board or advisory committee created by this chapter for any act or omission in his duties in the administration of this chapter or of any regulation promulgated thereunder.

The penalty herein provided for shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the department of natural resources ~~((or the department of ecology if water quality protection is involved;))~~ describing the violation with reasonable particularity. Within fifteen days after the notice is received, the person incurring the penalty may apply in writing to the department ~~((imposing the penalty))~~ for the remission or mitigation of such penalty. Upon receipt of the application, that department may remit or mitigate the penalty upon whatever terms that department in its discretion deems proper, provided the department ~~((imposing the penalty))~~ deems such remission or mitigation to be in the best interests of carrying out the purposes of this chapter. The department of natural resources ~~((and the department of ecology))~~ shall have authority to ascertain the facts regarding all such applications in such reasonable manner and under such regulations as ~~((they))~~ it may deem proper.

Any person incurring any penalty hereunder may appeal the same to the forest practices appeals board ~~((PROVIDED, That the appeal of any penalty imposed by the department of ecology relating to water quality protection shall be to the pollution control hearings board)).~~

Such appeals shall be filed within thirty days of receipt of notice imposing any penalty unless an application for remission or mitigation is made to the department ~~((or the department of ecology)).~~ When such an application for remission or mitigation is made, such appeals shall be filed within thirty days of

receipt of notice from the department (~~(or the department of ecology)~~) setting forth the disposition of the application.

Any penalty imposed hereunder shall become due and payable thirty days after receipt of a notice imposing the same unless application for remission or mitigation is made or an appeal is filed. When such an application for remission or mitigation is made, any penalty incurred hereunder shall become due and payable thirty days after receipt of notice setting forth the disposition of such application unless an appeal is filed from such disposition. Whenever an appeal of any penalty incurred hereunder is filed, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final decision confirming the penalty in whole or in part.

If the amount of any penalty is not paid to the department (~~(or the department of ecology)~~) within thirty days after it becomes due and payable, the attorney general, upon the request of the (~~(respective director)~~) department, shall bring an action in the name of the state of Washington in the superior court of Thurston county or of any county in which such violator may do business, to recover such penalty. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise in this chapter provided.

Sec. 10. Section 22, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.220 are each amended to read as follows:

(1) The appeals board shall operate on either a part time or a full time basis, as determined by the governor. If it is determined that the appeals board shall operate on a full time basis, each member shall receive an annual salary to be determined by the governor. If it is determined that the appeals board shall operate on a part time basis, each member shall receive compensation on the basis of seventy-five dollars for each day spent in performance of his duties: PROVIDED, That such compensation shall not exceed ten thousand dollars in a fiscal year. Each member shall receive reimbursement for travel and other expenses incurred in the discharge of his duties in accordance with the provisions of chapter 43.03 RCW.

(2) The appeals board may appoint, discharge, and fix the compensation of an executive secretary, a clerk, and such other clerical, professional, and technical assistants as may be necessary. As specified in RCW 41.06.073, such employment shall be in accordance with the rules of the state civil service law, chapter 41.06 RCW.

(3) The appeals board shall as soon as practicable after the initial appointment of the members thereof, meet and elect from among its members a chairman, and shall at least biennially thereafter meet and elect or reelect a chairman.

(4) The principal office of the appeals board shall be at the state capital, but it may sit or hold hearings at any other place in the state. A majority of the appeals board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position on the board be vacant. One or more members may hold hearings and take testimony to be reported for action by the board when authorized by rule or order of the board. The appeals board shall perform all the powers and duties granted to it in this chapter or as otherwise provided by law.

(5) The appeals board shall make findings of fact and prepare a written decision in each case decided by it, and such findings and decision shall be effective upon being signed by two or more members and upon being filed at the appeals board's principal office, and shall be open to public inspection at all reasonable times.

(6) The appeals board shall either publish at its expense or make arrangements with a publishing firm for the publication of those of its findings and decisions which are of general public interest, in such form as to assure reasonable distribution thereof.

(7) The appeals board shall maintain at its principal office a journal which shall contain all official actions of the appeals board, with the exception of findings and decisions, together with the vote of each member on such actions. The journal shall be available for public inspection at the principal office of the appeals board at all reasonable times.

(8) The forest practices appeals board shall have exclusive jurisdiction to hear appeals arising from an action or determination by the department (~~(- and the pollution control hearings board established by RCW 43.21B.010 shall have exclusive jurisdiction to hear appeals arising from an action or determination by the department of ecology)~~).

(9) (a) Any person aggrieved by the approval or disapproval of an application to conduct a forest practice may seek review from the appeals board by filing a request for the same within thirty days of the approval or disapproval. Concurrently with the filing of any request for review with the board as provided in this section, the requestor shall file a copy of his request with the department and the attorney general. The attorney general may intervene to protect the public interest and insure that the provisions of this chapter are complied with.

(b) The review proceedings authorized in subparagraph (a) of this subsection are subject to the provisions of chapter 34.04 RCW pertaining to procedures in contested cases.

Sec. 11. Section 24, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.240 are each amended to read as follows:

No county, city, municipality, or other local or regional governmental entity shall adopt or enforce any law, ordinance, or regulation pertaining to forest practices, except that to the extent otherwise permitted by law, such entities may exercise any:

(1) Land use planning or zoning authority: PROVIDED, That exercise of such authority may regulate forest practices only: (a) Where the application submitted under RCW 76.09.060 as now or hereafter

amended indicates that the lands will be converted to a use other than commercial timber production; or (b) on lands which have been platted after January 1, 1960, (or (c) on tracts of forest land not otherwise covered under subsections (a) and (b) and less than twenty acres including road rights of way in contiguous ownership not classified, designated and taxed under chapter 84.34 RCW, chapter 84.33 RCW, or chapter 84.28 RCW); PROVIDED, That no permit system solely for forest practices shall be allowed; that any additional or more stringent regulations shall not be inconsistent with the forest practices regulations enacted under this chapter; and such local regulations shall not unreasonably prevent timber harvesting;

(2) Taxing powers;

(3) Regulatory authority with respect to public health; and

(4) Authority granted by chapter 90.58 RCW, the "Shoreline Management Act of 1971", except that in relation to "shorelines" as defined in RCW 90.58.030, the following shall apply:

(a) The forest practice regulations adopted pursuant to this chapter shall be the sole rules applicable to the performance of forest practices, and enforcement thereof shall be solely as provided in chapter 76.09 RCW;

(b) As to that road construction which constitutes a substantial development, no permit shall be required under chapter 90.58 RCW for the construction of up to five hundred feet of one and only one road or segment of a road provided such road does not enter the shoreline more than once. Such exemption from said permit requirements shall be limited to a single road or road segment for each forest practice and such road construction shall be subject to the requirements of chapter 76.09 RCW and regulations adopted pursuant thereto and to the prohibitions or restrictions of any master program in effect under the provisions of chapter 90.58 RCW. Nothing in this subsection shall add to or diminish the authority of the shoreline management act regarding road construction except as specifically provided herein. The provisions of this subsection shall not relate to any road which crosses over or through a stream, lake, or other water body subject to chapter 90.58 RCW;

(c) Nothing in this section shall create, add to, or diminish the authority of local government to prohibit or restrict forest practices within the shorelines through master programs adopted and approved pursuant to chapter 90.58 RCW except as provided in (a) and (b) above.

Any powers granted by chapter 90.58 RCW pertaining to forest practices, as amended herein, are expressly limited to lands located within "shorelines of the state" as defined in RCW 90.58.030.

Sec. 12. Section 32, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.910 are each amended to read as follows:

Nothing in RCW 76.09.010 through 76.09.280 as now or hereafter amended shall modify any requirements to (~~obtain permits~~) comply with the Shoreline Management Act of 1971 except as limited by RCW 76.09.240 as now or hereafter amended, or (~~any violations that may be found, under the Shoreline Management Act of 1971 (chapter 90.58 RCW),~~) the Hydraulics Act (RCW 75.20.100), other state statutes in effect on January 1, 1975, and any local ordinances not inconsistent with RCW 76.09.240 as now or hereafter amended.

Sec. 13. Section 30, chapter 137, Laws of 1974 ex. sess. and RCW 90.48.420 are each amended to read as follows:

(1) The department of ecology, pursuant to powers vested in it previously by chapter 90.48 RCW and consistent with the policies of said chapter and RCW 90.54.020(3), shall be solely responsible for establishing water quality standards for waters of the state. On or before January 1, 1975, the department of ecology shall examine existing regulations containing water quality standards and other applicable rules and regulations of said department pertaining to waters of the state affected by nonpoint sources of pollution arising from forest practices and, when it appears appropriate to the department of ecology, modify said regulations. In any such examination or modification the department of ecology shall consider such factors, among others, as uses of the receiving waters, diffusion, down-stream cooling, and reasonable transient and short-term effects resulting from forest practices.

Promulgation of forest practices regulations by the department of ecology and the forest practices board, shall be accomplished so that compliance with such forest practice regulations will achieve compliance with (~~such water quality standards~~) water pollution control laws.

(2) The department of ecology shall monitor water quality to determine whether revisions in such water quality standards or revisions in such forest practices regulations are necessary to accomplish the foregoing result, and either promulgate appropriate revisions to such water quality standards or propose appropriate revisions to such forest practices regulations or both.

(3) Notwithstanding any other provisions of chapter 90.48 RCW or of the rules and regulations promulgated thereunder, no permit system pertaining to nonpoint sources of pollution arising from forest practices shall be authorized, and no civil or criminal penalties shall be imposed with respect to any forest practices conducted in full compliance with the applicable provisions of RCW 76.09.010 through 76.09.280, forest practices regulations, and any approvals or directives of the department of natural resources thereunder.

(4) Prior to the department of ecology taking action under statutes or regulations relating to water quality, regarding violations of water quality standards arising from forest practices, the department of ecology shall notify the department of natural resources.

NEW SECTION. Sec. 14. There is added to chapter 90.48 RCW a new section to read as follows:

The Forest Practices Act, chapter 76.09 RCW, and the forest practices regulations adopted thereunder relating to water quality protection shall be utilized to satisfy the planning and program requirements of sections 208, 209, and 305 of the federal Water Pollution Control Act, as regards silvicultural activities,

unless it is determined by the department of ecology that extraordinary conditions exist which make forest practices regulations unsuitable to satisfy such federal requirements.

**NEW SECTION.** Sec. 15. This 1975 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."

In line 1 of the title, after "practices;" strike the remainder of the title and insert "amending section 3, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.030; amending section 5, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.050; amending section 6, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.060; amending section 7, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.070; amending section 8, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.080; amending section 9, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.090; amending section 10, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.100; amending section 14, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.140; amending section 17, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.170; amending section 22, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.220; amending section 24, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.240; amending section 32, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.910; amending section 30, chapter 137, Laws of 1974 ex. sess. and RCW 90.48.420; adding a new section to chapter 90.48 RCW; and declaring an emergency."

Signed by Senators Lewis (Harry), Odegaard, Peterson; Representatives Martinis, Matthews, Conner.

#### MOTION

Mr. Martinis moved that the report of the Free Conference Committee be adopted.

Representatives Martinis and Matthews spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1078 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1078 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 80; nays, 3; not voting, 15.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Sherman, Smith E. P., Smith R., Sommers, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Fortson, Williams.

Not voting: Representatives Adams, Bagnariol, Blair, Curtis, Hurley M., Kalich, Luders, Maxie, May, Nelson, North, Shipnuch, Thompson, Tilly, Wilson.

Substitute House Bill No. 1078 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Blair, Curtis, Hurley (Margaret), Juelling, Kalich, Kuehnle, Lee, Luders, May, Nelson, Thompson, Tilly and Wilson. Representatives Adams, Blair, Curtis, Kalich, Kuehnle, May, Nelson, Thompson, Tilly and Wilson were excused.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MESSAGES FROM THE SENATE

June 5, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 176,  
 SUBSTITUTE HOUSE BILL NO. 198,  
 SUBSTITUTE HOUSE BILL NO. 591,  
 HOUSE BILL NO. 675,  
 HOUSE BILL NO. 796,  
 HOUSE BILL NO. 962,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 30, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2280, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Perry, the House refused to recede from its amendments to Engrossed Substitute Senate Bill No. 2280, and asked the Senate for a conference thereon.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) announced the following appointments to Conference Committees:

Engrossed House Bill No. 612: Representatives Gallagher, Deccio, Chatalas;

Engrossed Senate Bill No. 2346: Representatives Bauer, Hurley (George), Brown;

Engrossed Substitute Senate Bill No. 2280: Representatives Patterson, Smith (Edward), Conner.

## MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Saturday, June 7, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-SIXTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Saturday, June 7, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Hurley (Margaret), Jueling, Kalich, Kuehne, May, Nelson, Perry, Randall, Thompson and Wilson who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Theresa Butigan and Pat Stamey. Prayer was offered by Reverend Charles Loyer of the Westminster United Presbyterian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGES FROM THE SENATE

June 6, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 211,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 6, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 827, and the President has appointed as members of said conference committee: Senators Beck, Scott, Woody.

Sidney R. Snyder, Secretary.

June 6, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, and the President has appointed as members of said conference committee: Senators Odegaard, Lewis (H.), McDermott.

Sidney R. Snyder, Secretary.

June 6, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 2280, and the President has appointed as members of said conference committee: Senators Bottiger, Walgren, Guess.

Sidney R. Snyder, Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 798,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE HOUSE BILL NO. 32,  
HOUSE BILL NO. 154,  
HOUSE BILL NO. 173,  
SUBSTITUTE HOUSE BILL NO. 1078.

## MOTION

On motion of Mr. Charette, the House advanced to the sixth order of business.

## SECOND READING

On motion of Mr. Charette, all House bills on today's second reading calendar were referred to Committee on Rules, with the exception of House Bill No. 1119, which was moved to the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 2108, by Senators Clarke, Francis and Jones (by Uniform Law Commission request):

Enacting the uniform foreign money-judgments recognition act.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2108 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2108, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Brown, Hurley M., Jueling, Kalich, Kuehne, Luders, May, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2108, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 2211, by Committee on Transportation and Utilities (Originally sponsored by Senators Beck and Sellar):

Authorizing certain types of motor vehicle lighting.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2211 was placed on final passage.

Mr. Conner spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Haley.

Mr. Haley: "Has the problem of a color-blind person been thought of or addressed in this bill? Can you elaborate on whether the average color-blind person could be checked, whether the amber or the yellow light was appearing to him or not?"

Mr. Conner: "Of course, when you take your driver's license test now this shows up because you have to pass a visual exam with the Department of Motor Vehicles. I might add, too, that there was some concern relative to the use of green lights, which the legislature authorized for volunteer firemen, but the Washington State Association of Fire Commissioners and the volunteer firemen in the state are in favor of this measure."



Mr. Moon spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2211, and the bill passed the House by the following vote: Yeas, 70; nays, 12; not voting, 16.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Laughlin, Leckenby, Lee, Martinis, Matthews, McCormick, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Peterson, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Boldt, Douthwaite, Ehlers, Eng, Hawkins, Lysen, Maxie, McKibbin, Moon, Sherman, Williams.

Not voting: Representatives Adams, Curtis, Hurley M., Juelling, Kalich, Knowles, Kuehnle, Luders, May, Nelson, Pardini, Perry, Polk, Randall, Thompson, Wilson.

Substitute Senate Bill No. 2211, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2334, by Senators Francis, Bottiger, Woody and Clarke:

Amending the laws relating to corporations.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2334 was placed on final passage.

Mr. Smith (Rick) spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2334, and the bill passed the House by the following vote: Yeas, 82; nays, 2; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Maxie, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Lysen, Moon.

Not voting: Representatives Adams, Greengo, Hurley M., Juelling, Kalich, Kuehnle, Matthews, May, Nelson, Perry, Randall, Savage, Thompson, Wilson.

Engrossed Senate Bill No. 2334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2609, by Senator Walgren:

Limiting the number of copies of Washington state statutes that a county must keep on file.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Senate Bill No. 2609 was placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2609, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks,

Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Becker, Douthwaite, Gaspard, Hurley M., Juelling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson.

Senate Bill No. 2609, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2735, by Senator Day:

Revising laws relating to care of mentally or physically deficient persons.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2735 was placed on final passage.

Mr. Parker spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2735, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Hurley M., Juelling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2735, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2808, by Committee on Local Government (Originally sponsored by Senator Fleming):

Expanding the membership of the municipal research council.

The bill was read the second time.

#### MOTION

On motion of Mr. Charette, further consideration of Engrossed Substitute Senate Bill No. 2808 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 2894, by Senators Day, Jones and Ridder:

Permitting ambulance service to claim lien against a tort-feasor.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2894 was placed on final passage.

Mr. Parker spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2894, and the bill passed the House by the following vote: Yeas, 73; nays, 12; not voting, 13.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker,

Seeberger, Shinpoch, Smith E. P., Sommers, Tilly, Valle, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Charnley, Douthwaite, Ehlers, Hawkins, Hendricks, Lysen, North, Sherman, Smith R., Warnke, Williams.

Not voting: Representatives Adams, Berentson, Brown, Hurley M., Jueling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2894, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2895, by Senators Day, Jones and Ridder:

Amending law relating to blind vendors in public buildings.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2895 was placed on final passage.

Mr. Parker spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Patterson.

Mr. Patterson: "I have one concern with the bill from the standpoint of definition of what a public building is and as to whether or not we aren't including all of our public school buildings. I'm sure that you recognize that many of the vending operations are operated by student associations as fund-raising enterprises. I realize the grandfather clause is in there, but I would just like to understand, and for the record, to make sure that the intent of the bill is not to go that far, that the basic intent of the bill would be state facilities, and whether or not the state facility includes a public school."

Mr. Parker: "The intent of the bill was not to include public schools, but the public office buildings of administrative agencies and political subsidiaries."

Mr. Patterson: "My question, of course, is that a political subdivision could be interpreted to include a school district. Obviously, there is an exemption clause in here for those institutions of higher education, for example, because they are governed by a separate board and there is a proviso that exempts them unless that board would include and authorize a license fee in that case. My concern really for the bill is whether or not you know if we are grandfathering in all of the existing facilities. I can see in the future the possibility of a school district expanding and the vendor being authorized within that public school. I want the record to show, if you can't state it, that the intent of this legislation was not to include public schools."

Mr. Parker: "For the record, I would state that is our intent."

Mr. Leckenby spoke against the bill, and Mr. Parker again spoke in favor of it.

#### MOTION

On motion of Mr. Ehlers, further consideration of Engrossed Senate Bill No. 2895 was deferred, and the bill was made a special order of business for 2:15 p.m.

SENATE CONCURRENT RESOLUTION NO. 101, by Senators Mardesich, Clarke, Goltz, Sandison, Jones and Bluechel:

Requesting establishment of the joint committee on Washington/British Columbia Governmental Cooperation.

The resolution was read the second time.

#### MOTIONS

On motion of Mr. Charette, further consideration of Senate Concurrent Resolution No. 101 was deferred, and the resolution was placed at the bottom of today's second reading calendar.

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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 AFTERNOON SESSION
 

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Fortson, Hurley (Margaret), Juelling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson and Wilson. Representatives Adams, Hurley (Margaret), Juelling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson and Wilson were excused.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:  
HOUSE BILL NO. 798.

On motion of Mr. Charette, the Special Order of Business scheduled for 2:15 was deferred until after caucus.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker (Mr. O'Brien presiding) called the House to order.

## SPECIAL ORDER OF BUSINESS

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the special order of business, Engrossed Senate Bill No. 2895 on third reading.

## ENGROSSED SENATE BILL NO. 2895:

The House resumed consideration of the bill on third reading.

## MOTION

On motion of Mr. Parker, the rules were suspended, and Engrossed Senate Bill No. 2895 was returned to second reading for the purpose of amendment.

On motion of Mr. Patterson, the following amendments by Representatives Patterson and Parker were adopted:

On page 1, section 1, line 30 after "state" and before "board" insert "or local"

On page 2, section 1, line 2 after "state" and before "board" insert "or local"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2895 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2895 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Fortson, Hurley M., Juelling, Kalich, Kuehnle, Matthews, May, Nelson, Perry, Randall, Seeberger, Thompson, Wilson.

Engrossed Senate Bill No. 2895 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

June 6, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 12 with the following amendments:

On page 1, line 6 of the title, after "73.34.120;" strike "and" and insert "making an appropriation; and"

On page 4, line 4 after "28," strike all the material down to the period on line 9 and insert "((1975, nor shall any warrant be)) 1976"

On page 4, line 13 after "((1976;))" strike "June 30," and insert "December 31,"

On page 4, line 23 after "ending" strike "June 30" and insert "December 31"  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Ms. Sommers, the House concurred in the Senate amendments to Engrossed House Bill No. 12.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 12 as amended by the Senate.

Mr. Conner spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 12 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Douthwaite, Fortson, Hurley M., Jueling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed House Bill No. 12 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SENATE AMENDMENTS TO HOUSE BILL

June 6, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 436 with the following amendments:

On page 1, line 16 of the title after the semicolon insert "amending section 22, chapter 3, Laws of 1971 as amended by section 10, chapter 73, Laws of 1973 and RCW 50.44.050;"

On page 10, add a new section following section 16 as follows:

"Sec. 17. Section 22, chapter 3, Laws of 1971 as amended by section 10, chapter 73, Laws of 1973 and RCW 50.44.050 are each amended to read as follows:

Benefits based on services in employment covered by or pursuant to this chapter shall be payable on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this title: PROVIDED, HOWEVER, That benefits based on service in an instructional, research or principal administrative capacity in an institution of higher education shall not be paid to an individual for any week of unemployment which begins during the period between two successive academic years, or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity for an institution or institutions of higher education for both such academic years or both such terms; or during any nonwork period occurring during a term that does not diminish the individual's salary for the term: PROVIDED, FURTHER, That benefits based on service in an instructional, research, or principal administrative capacity in an educational institution other than an institution of higher education shall not be paid to an individual for any week of unemployment which begins during the period between two successive academic years, or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity in an educational institution or institutions other than an institution of higher education for both such academic years or both such terms; or during any nonwork period occurring during a term that does not diminish the individual's salary for the term: PROVIDED, FURTHER, That any employee of a common

school district who is conclusively presumed to have been reemployed pursuant to RCW 28A.67.070 shall be deemed to have a contract for the ensuing term."

Remember the remaining sections consecutively.  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Bausch, the House concurred in the Senate amendments to Engrossed House Bill No. 436.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 436 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 436 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Douthwaite, Fortson, Hurley M., Jueling, Kalich, Kuehne, May, McKibbin, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed House Bill No. 436 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

June 6, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 587, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 6, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 587, providing for creation of West Seattle access development commission, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Walgren, Morrison, Beck; Representatives Patterson, Laughlin, Ceccarelli.

#### MOTION

On motion of Mr. Ceccarelli, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### SENATE AMENDMENT TO HOUSE BILL

June 6, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 818 with the following amendment:

On page 4, line 18 of the engrossed bill, after "HOWEVER," insert "That any person who stops payment on a personal check with intent to defraud a towing firm which has provided a service pursuant to this section, or in any other manner defrauds the towing firm in connection with services rendered pursuant to this section shall be liable for damages in the amount of twice the towing and storage fees, plus costs

and reasonable attorney's fees: PROVIDED FURTHER, That every towing firm providing service pursuant to this section shall post a true copy of this section in a conspicuous place upon its business premises: PROVIDED FURTHER,"  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Gaspard, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 818.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 818 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 818 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 69; nays, 14; not voting, 15.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McKibbin, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bond, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Hendricks, Lee, Matthews, McCormick, Newhouse, Schumaker.

Not voting: Representatives Adams, Eikenberry, Fortson, Haley, Hurley M., Jueling, Kalich, Kuehne, May, Moon, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Substitute House Bill No. 818 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SENATE AMENDMENTS TO HOUSE BILL

June 6, 1975

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1007 with the following amendments:

On line 14 of the title after "3.58.010;" and before "declaring" insert "making an appropriation;"

On page 1, line 24 after "dollars" and before the semicolon insert "plus a sum equal to 1/260th of the difference between the annual salary of the lieutenant governor and the annual salary of the governor for each day that the lieutenant governor is called upon to perform the duties of the governor by reason of the absence from the state, removal, resignation, death or disability of the governor"

On page 3, line 6 after "of" and before "hundred" strike "five" and insert "((five)) four"

On page 3, line 11 after "Friday" insert "PROVIDED FURTHER, That a member of the legislature whose term of office is partly coextensive with or extends beyond the present term of office of any of the officials whose salary is increased by virtue of the provisions of sections 1 through 5 of this act shall be eligible to be appointed or elected to any of the offices the salary of which is increased hereby but he shall not be entitled to receive such increased salary until after the expiration of his present term of office and his subsequent election or reelection to the office to which he was appointed or elected respectively during his term of office as legislator"

On page 3, strike all of section 6 and insert the following:

"NEW SECTION. Sec. 6. There is hereby appropriated to the Governor—Special Appropriations the sum of \$1,030,220 or so much as may be necessary for the purpose of implementing sections 1 through 4 of this 1975 amendatory act."

Renumber the remaining sections consecutively.  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Ms. Sommers, the House concurred in the Senate amendments to Second Substitute House Bill No. 1007.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1007 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1007 as amended by the Senate, and the bill received the constitutional two-thirds majority by the following vote: Yeas, 69; nays, 15; not voting, 14.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Gaines, Gallagher, Gaspard, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Bond, Cochrane, Deccio, Dunlap, Flanagan, Freeman, Gilleland, Greengo, Lee, Matthews, Newhouse, Schumaker, Williams.

Not voting: Representatives Adams, Fortson, Haley, Hurley M., Juelling, Kalich, Kuehnle, May, Moon, Nelson, Perry, Randall, Thompson, Wilson.

Second Substitute House Bill No. 1007 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

June 6, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1174 with the following amendment:

On page 2, line 3 after "commerce" insert ": PROVIDED, HOWEVER, That nothing in this act shall apply to employers who are exempt from the federal fair labor standards act" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendment to Substitute House Bill No. 1174.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1174 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1174 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 81; nays, 3; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Blair, Cochrane, King.

Not voting: Representatives Adams, Fortson, Hurley M., Juelling, Kalich, Kuehnle, May, Nelson, Newhouse, Perry, Randall, Thompson, Wilson, and Mr. Speaker.

Substitute House Bill No. 1174 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



## MESSAGE FROM THE SENATE

June 6, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 127, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 6, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 127, establishing constitutionally a citizens' commission to set salaries of public officials, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Sellar, Grant, Francis; Representatives Sommers, Newhouse, Conner.

## MOTION

On motion of Ms. Sommers, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 32,  
HOUSE BILL NO. 154,  
HOUSE BILL NO. 173,  
SUBSTITUTE HOUSE BILL NO. 1078,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION FOR RECONSIDERATION

Mr. Parker, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Senate Bill No. 2894 passed the House.

Mr. Parker spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Parker yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Parker, I understand what you are saying, but when it says 'of an ambulance service,' how do you infer that is strictly a private ambulance? Could not that be either private or public?"

Mr. Parker: "That would be true and I originally thought that was the way it was; however, when we looked at the definitions in the RCW's it interpreted it to be private. Therefore the amendment would specifically spell out our meaning."

The motion was carried.

## MOTION

On motion of Mr. Parker, the rules were suspended, and Engrossed Senate Bill No. 2894 was returned to second reading for the purpose of amendment.

On motion of Mr. Chandler, the following amendment by Representatives Chandler, Smith (Rick) and Parker was adopted:

On page 1, line 7 beginning with "Every operator" strike all material down to and including "injury" on line 11 and insert the following:

"Every operator, whether private or public, of an ambulance service or of a hospital, and every duly licensed nurse, practitioner, physician, and surgeon rendering service, or transportation and care, for any person who has received a traumatic injury and which is rendered by reason thereof"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2894 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on final passage of Engrossed Senate Bill No. 2894 as amended by the House, and the bill passed the House by the following vote: Yeas, 78; nays, 6; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Charnley, Hawkins, Hendricks, Sherman, Warnke.

Not voting: Representatives Adams, Douthwaite, Fortson, Gaspard, Hurley M., Jueling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2894 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 7, by Representatives Hanna, Randall, Hawkins, Smith (Rick), Bender, Haley, Peterson, Adams, Gaspard, Conner, Moreau, Charette, Fortson, North, Thompson, McCormick, Haussler, Paris, Eng, Maxie, Chatalas and Gaines:

Directing department of social and health services to drop matching fund requirements for financing of care facilities.

The resolution was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, Sixtieth Day ex. sess., May 12, 1975.)

On motion of Mr. Hanna, the committee amendment was adopted.

House Concurrent Resolution No. 7 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Concurrent Resolution No. 7 was placed on final passage.

Mr. Hanna spoke in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on adoption of Engrossed House Concurrent Resolution No. 7, and the resolution was adopted by the following vote: Yeas, 82; nays, 3; not voting, 13.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Lee, Matthews, Pardini.

Not voting: Representatives Adams, Fortson, Hurley M., Jueling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson, and Mr. Speaker.

Engrossed House Concurrent Resolution No. 7, having received the constitutional majority, was declared passed.

SENATE BILL NO. 2114, by Senator Francis:

Authorizing the office of judicial officer in municipal courts of cities of more than four hundred thousand inhabitants.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifty-fourth Day ex. sess., May 6, 1975.)

On motion of Mr. Seeberger, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2114 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2114 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 0; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Not voting: Representatives Adams, Douthwaite, Fortson, Hurley M., Juelling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson, and Mr. Speaker.

Senate Bill No. 2114 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2172, by Senators Clarke and Francis (by Judicial Council request):

Requiring the clerk of district and municipal courts to collect and remit fees, costs, penalties, fines and forfeitures.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, Fifty-seventh Day, March 10, 1975.)

On motion of Mr. Knowles, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2172 as amended by the House was placed on final passage.

Mr. Knowles spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2172 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Not voting: Representatives Adams, Fortson, Hurley M., Juelling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson, and Mr. Speaker.

Engrossed Senate Bill No. 2172 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2348, by Senators Walgren, Guess, Knoblauch and Beck:

Requiring cities, towns, and counties to report to director of highways on plans for bicycle, pedestrian, and equestrian expenditures.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-third Day ex. sess., May 15, 1975.)

On motion of Mr. Hansen, the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2348 as amended by the House was placed on final passage.

Mr. Hansen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2348 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 6; not voting, 13.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Deccio, Flanagan, Leckenby, North, Sommers.

Not voting: Representatives Adams, Fortson, Hurley M., Juelling, Kalich, Kuehne, May, Nelson, Perry, Randall, Thompson, Wilson, and Mr. Speaker.

Engrossed Senate Bill No. 2348 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ENGROSSED SENATE BILL NO. 2422, by Senator Rasmussen:

Extending use of special parking permits for handicapped persons.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-seventh Day ex. sess., May 9, 1975.)

On motion of Mr. Parker, the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2422 as amended by the House was placed on final passage.

Mr. Parker spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2422 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Fortson, Hurley M., Juelling, Kalich, Kuehne, May, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2422 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ENGROSSED SENATE BILL NO. 2613, by Senators Marsh, Francis and Jones:

Authorizing pretrial deferred prosecution programs approved by the court.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-ninth Day ex. sess., May 21, 1975.)

On motion of Mr. Seeberger, the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2613 as amended by the House was placed on final passage.

Representatives Seeberger, Smith (Rick) and Hanna spoke in favor of passage of the bill, and Representatives Eikenberry and Hayner spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2613 as amended by the House, and the bill passed the House by the following vote: Yeas, 61; nays, 24; not voting, 13.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eng, Erickson, Fischer, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Jastad, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Paris, Parker, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Barnes, Berentson, Bond, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Hendricks, Hurley G. S., Leckenby, Lee, Mathews, Newhouse, Patterson, Polk, Schumaker, Tilly.

Not voting: Representatives Adams, Fortson, Hurley M., Jueling, Kalich, Kuehne, May, Nelson, Perry, Randall, Thompson, Wilson, and Mr. Speaker.

Engrossed Senate Bill No. 2613 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SENATE AMENDMENTS TO HOUSE BILL

May 30, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 164 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to Title 47 RCW a new section to read as follows:

The legislature hereby recognizes the following imperative needs within the state: To create a state-wide transportation development plan which identifies present status and sets goals for the future; to coordinate and centralize the regulation, licensing, and taxation of transportation modes; to promote and protect land use programs required in state and federal law; to coordinate transportation with the economic development of the state; to supply a broad framework in which regional, metropolitan, and local transportation needs can be related; to facilitate the supply of federal and state aid to those areas which will most benefit the state as a whole; to provide for more effective public involvement in the transportation planning and development process; to administer programs within the jurisdiction of this title relating to the safety of the state's transportation systems; and to coordinate and implement national transportation policy with the state transportation planning program.

The legislature finds and declares that placing all elements of transportation in a single department is fully consistent with and shall in no way impair the use of moneys in the motor vehicle fund exclusively for highway purposes.

Through this chapter, a unified department of transportation is created. To the jurisdiction of this department will be transferred the present powers, duties, and functions of the department of highways, the highway commission, and the toll bridge authority.

NEW SECTION. Sec. 2. There is added to Title 47 RCW a new section to read as follows:

As used in this title unless the context indicates otherwise:

(1) "Department" means the department of transportation created in section 3 of this 1975 amendatory act;

(2) "Commission" means the transportation commission created in section 5 of this 1975 amendatory act;

(3) "Secretary" means the secretary of transportation as provided for in section 4 of this 1975 amendatory act.

NEW SECTION. Sec. 3. There is added to Title 47 RCW a new section to read as follows:

(1) There is created a department of state government to be known as the department of transportation.

(2) All powers, duties, and functions vested by law in the department of highways, the state highway commission, the director of highways, and the Washington toll bridge authority are transferred to the jurisdiction of the department, except those powers, duties, and functions which are expressly directed elsewhere in this or in any other act of the 1975 legislature.

(3) The urban arterial board is transferred to the jurisdiction of the department for its administration.

**NEW SECTION. Sec. 4.** There is added to Title 47 RCW a new section to read as follows:

From a list of three names submitted by the governor, the state transportation commission shall select and appoint the secretary of the department of transportation, who shall thereafter be an ex officio member of the commission without a vote. He shall be the chief executive officer of the commission responsible only to it, and shall be guided by policies established by it. He shall direct all activities and supervise the work of the staff of the department. The secretary may be relieved of his duties only for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, by majority vote of the commission.

**NEW SECTION. Sec. 5.** There is added to chapter 13, Laws of 1961 and to chapter 47.01 RCW a new section to read as follows:

There is hereby created a transportation commission, which shall consist of seven members appointed by the governor, with the consent of the senate. Not more than four members shall reside on the same side of the Cascade mountains, and no two members of the commission shall reside in the same county. The present five members of the highway commission shall serve as five initial members of the transportation commission until their terms of office as highway commission members would have expired. The additional two members provided herein for the transportation commission shall be appointed for initial terms to expire on June 30, 1976, and June 30, 1981, respectively. Thereafter all terms shall be for six years. No elective state official or state officer or state employee shall be a member of the commission. Not more than four members of the commission shall at the time of appointment or thereafter during their respective terms of office be members of the same major political party. No commissioner shall be removed from office by the governor before the expiration of his term unless for cause of incapacity, incompetence, neglect of duty, or malfeasance in office or for a disqualifying change of residence.

**NEW SECTION. Sec. 6.** There is added to chapter 13, Laws of 1961 and to chapter 47.01 RCW a new section to read as follows:

The commission shall meet at such times as it deems advisable but at least once every thirty days. It may adopt its own rules and regulations and may establish its own procedure. It shall act collectively in harmony with recorded resolutions or motions adopted by majority vote of at least four members. The commission may appoint an administrative secretary, and shall elect one of its members chairman for a term of one year. The chairman shall be able to vote on all matters before the commission.

Each member of the commission shall receive compensation of forty dollars per day for each day actually spent in the performance of his duties and travel expenses in accordance with RCW 43.03.050 and RCW 43.03.060 as now existing or hereafter amended, incurred in the discharge of such duties as may be requested of him by a majority vote of the commission or by the secretary of transportation, but in no event shall a commissioner be compensated in any year for more than one hundred twenty days, except the chairman of the commission who may be paid compensation for not more than one hundred fifty days.

**NEW SECTION. Sec. 7.** There is added to chapter 13, Laws of 1961 and to chapter 47.01 RCW a new section to read as follows:

The transportation commission shall have the following functions, powers, and duties:

(1) To propose policies to be adopted by the legislature designed to assure the development and maintenance of a comprehensive and balanced state-wide transportation system which will meet the needs of the people of this state for safe and efficient transportation services. Wherever appropriate the plan shall provide for the use of integrated, intermodal transportation systems to implement the social, economic, and environmental policies, goals, and objectives of the people of the state, and especially to conserve nonrenewable natural resources including land and energy. To this end the commission shall:

(a) Develop transportation policies which are based on the policies, goals, and objectives expressed and inherent in existing state laws and as adopted by state agencies;

(b) Inventory the adopted policies, goals, and objectives of the local and area-wide governmental bodies of the state and define the role of the state, regional, and local governments in determining transportation policies, in planning, and in implementing the state transportation plan;

(c) Propose a transportation policy for the state, and after notice and public hearings, submit the proposal to the legislative transportation committee and the senate and house transportation and utilities committees by January 1, 1976, for consideration in the next legislative session;

(d) Establish a procedure for review and revision of the state transportation policy, for submission of proposed changes to the legislature, and for the amendment of the state transportation policy by the legislature;

(2) To establish the policy of the department to be followed by the secretary of transportation on each of the following items:

(a) To provide for the effective coordination of state transportation planning with national transportation policy, state and local land use policies, and local and regional transportation plans and programs;

(b) To provide for effective public involvement in transportation designed to elicit the public's views both with respect to adequate transportation services and appropriate means of minimizing adverse social, economic, environmental, and energy impact of transportation programs;

(c) To provide for the administration of grants in aid and other financial assistance to counties and municipal corporations for transportation purposes;

(4) To provide for the management, sale, and lease of property or property rights owned by the department which are not required for transportation purposes;

(3) To direct the secretary to prepare and submit to the commission a comprehensive and balanced state-wide transportation plan which shall be based on the transportation policy adopted by the legislature and applicable state and federal laws. After public notice and hearings, the commission shall adopt the plan and submit it to the legislative transportation committee and to the house and senate standing committees on transportation and utilities before January 1, 1978, for consideration in the next legislative session. The plan shall be reviewed and revised at the next regular session of the legislature and biennially thereafter;

(4) To approve and propose to the governor and to the legislature prior to the convening of each regular session a recommended budget for the operation of the department and for carrying out the program of the department for the ensuing biennium. The proposed budget shall separately state the appropriations to be made from the motor vehicle fund for highway purposes in accordance with constitutional limitations and appropriations and expenditures to be made from the general fund and other available sources for other operations and programs of the department;

(5) To review and authorize all departmental requests for legislation;

(6) To approve the issuance and sale of all bonds authorized by the legislature for capital construction of state highways, toll facilities, Columbia Basin county roads (for which reimbursement to the motor vehicle fund has been provided), and urban arterial projects;

(7) To adopt such rules, regulations, and policy directives as may be necessary to carry out reasonably and properly those functions expressly vested in the commission by statute;

(8) To delegate any of its powers to the secretary of transportation whenever it deems it desirable for the efficient administration of the department and consistent with the purposes of this title;

(9) To exercise such other specific powers and duties as may be vested in the transportation commission by this or any other provision of law.

NEW SECTION, Sec. 8. There is added to Title 47 RCW a new section to read as follows:

There is created within the department of transportation a division of public transportation which shall be responsible for coordinating state, regional, and local transportation planning in cooperation with (1) regional planning agencies created pursuant to chapter 36.64 and 36.70 RCW, (2) cities and counties, (3) metropolitan municipal corporations, (4) port districts operating either ports for water shipping or airports, and (5) public transportation benefit area authorities. The public transportation division shall further be responsible for administering transportation planning and research grants to regional agencies and to cities and counties. The public transportation division shall have primary responsibility for coordinating the development of balanced transportation plans including, as appropriate, state highways, city and county arterials, and bus and rail transit within the state.

NEW SECTION, Sec. 9. There is added to Title 47 RCW a new section to read as follows:

The secretary may appoint a deputy secretary as may be needed for the performance of the duties and functions vested in the department. The secretary may delegate to officers within the several divisions of the department authority to employ personnel necessary to discharge the responsibilities of the department.

NEW SECTION, Sec. 10. There is added to Title 47 RCW a new section to read as follows:

The secretary may establish such advisory councils as are necessary to carry out the purposes of section 1 of this 1975 amendatory act, and to insure adequate public participation in the planning and development of transportation facilities. Members of such councils shall serve at the pleasure of the secretary and may receive per diem and necessary expenses, in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

NEW SECTION, Sec. 11. There is added to Title 47 RCW a new section to read as follows:

The secretary shall have the authority and it shall be his duty, subject to policy guidance from the commission:

(1) To serve as chief executive officer of the department with full administrative authority to direct all its activities;

(2) To organize the department as he may deem necessary to carry out the work and responsibilities of the department effectively;

(3) To designate and establish such transportation district or branch offices as may be necessary or convenient, and to appoint assistants and delegate any of his powers, duties, and functions to them or any officer or employee of the department as he deems necessary to administer the department efficiently;

(4) To direct and coordinate the programs of the various divisions of the department to assure that they achieve the greatest possible mutual benefit, produce a balanced overall effort, and eliminate unnecessary duplication of activity;

(5) To adopt all department rules which are subject to the adoption procedures contained in the state administrative procedure act except rules subject to adoption by the commission pursuant to statute;

(6) To maintain and safeguard the official records of the department, including the commission's recorded resolutions and orders;

(7) To provide full staff support to the commission to assist it in carrying out its functions, powers, and duties and to execute the policy established by the commission pursuant to its legislative authority;

(8) To exercise all other powers and perform all other duties as are now or hereafter provided by law.

NEW SECTION, Sec. 12. There is added to Title 47 RCW a new section to read as follows:

(1) All employees and personnel of the department of highways, the highway commission, and the toll bridge authority shall, on July 1, 1975, be transferred to the jurisdiction of the department of transportation. All employees classified under chapter 41.06 RCW, the state civil service law, shall be assigned to the department to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with bargaining agreements and the laws and rules governing the state merit system.

(2) Any officer or employee of any of the agencies mentioned hereinabove who holds an exempt position with his agency and who previously held permanent status in a classified position shall on or after July 1, 1975, have a right of reversion to the highest class of position previously held, and may continue his employment in the department of transportation at such class of position subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state merit system.

**NEW SECTION.** Sec. 13. The lawfully adopted rules and regulations of the Washington state highway commission and the Washington toll bridge authority in effect on June 30, 1975, shall continue to have full force and effect and be applicable until superseded by, or repealed by, rules and regulations lawfully adopted by the secretary of transportation or the transportation commission as provided in sections 7 and 11 of this 1975 amendatory act.

**NEW SECTION.** Sec. 14. If on the effective date of this 1975 amendatory act, any exempt position has not been filled by appointment, the person serving in the comparable exempt position, if any, in an agency whose functions are by section 3 of this 1975 amendatory act transferred to the department of transportation shall fill such exempt position until a permanent appointment thereto has been made.

**NEW SECTION.** Sec. 15. Nothing in this 1975 amendatory act shall be construed to affect any existing rights acquired under the sections amended or repealed herein except as to the governmental agencies referred to and their officials and employees, nor as affecting any actions, activities, or proceedings validated thereunder, nor as affecting any civil or criminal proceedings instituted thereunder, nor any rule, regulation, resolution, or order promulgated thereunder, nor any administrative action taken thereunder; and neither the abolition of any agency nor any transfer of powers, duties, and functions as provided herein, shall affect the validity of any act performed by such agency or any officer thereof prior to the effective date of this 1975 amendatory act.

**NEW SECTION.** Sec. 16. Nothing contained in this 1975 amendatory act shall be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until any such agreement has expired.

**NEW SECTION.** Sec. 17. All reports, documents, surveys, books, records, files, papers, or other writings in the possession of the department of highways, the highway commission, and the toll bridge authority shall be delivered on the effective date of this 1975 amendatory act, to the custody of the department of transportation.

All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed in carrying out the powers, duties, and functions transferred to the department of transportation by section 3 of this 1975 amendatory act shall be made available on the effective date of this 1975 amendatory act, to the department. All funds, credits, or other assets held in connection with the functions so transferred shall by such time be assigned to the department of transportation.

Any appropriations heretofore made to the department of highways, the highway commission, and the toll bridge authority for the purpose of carrying out the powers, duties, and functions transferred in section 3 of this 1975 amendatory act, shall on the effective date of this 1975 amendatory act, be so transferred and credited to the department of transportation for the purpose of carrying out such transferred powers, duties, and functions.

Whenever any question arises as to the transfer of any funds including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred under section 3 of this 1975 amendatory act, the director of the office of program planning and fiscal management or his successor shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

**NEW SECTION.** Sec. 18. All state officials required to maintain contact with or provide services for any of the departments or agencies whose functions are transferred by section 3 of this 1975 amendatory act shall continue to perform such services for the department of transportation unless otherwise directed by this title.

**NEW SECTION.** Sec. 19. While any bonds, whether definitive, temporary, or interim, or warrants, certificates, or receipts of any denomination, with or without coupons attached heretofore issued by the toll bridge authority, the highway commission, or any of the other agencies whose functions are transferred to the department of transportation by section 3 of this 1975 amendatory act, remain outstanding, the powers and duties relating thereto of such agencies or of any official or employee thereof transferred by section 12 of this 1975 amendatory act to the department of transportation, or any powers and duties of any other state official or state agency with respect to such bonds, warrants, certificates, or receipts shall not be diminished or impaired in any manner that will adversely affect the interests and rights of the holders of such bonds, warrants, certificates, or receipts. The holder of any such bond, warrant, certificate, or receipt may by mandamus or other appropriate proceeding require the performance by the department of transportation, or other appropriate state official or agency, of any of the duties heretofore imposed upon any state department, official, or employee under the terms of any such prior bond, warrant, certificate, or receipt agreement or sale: **PROVIDED,** That the enumeration of such rights and remedies herein shall not



be deemed to exclude the exercise or prosecution of any other rights or remedies by the holders of such bonds, warrants, certificates, or receipts.

Sec. 20. Section 1, chapter 11, Laws of 1971 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of social and health services, (2) the department of ecology, (3) the department of labor and industries, (4) the department of agriculture, (5) the department of fisheries, (6) the department of game, (7) the department of ~~(highways)~~ transportation, (8) the department of motor vehicles, (9) the department of general administration, (10) the department of commerce and economic development, and (11) the department of revenue, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 21. Section 2, chapter 11, Laws of 1971 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The secretary of social and health services, (2) the director of ecology, (3) the director of labor and industries, (4) the director of agriculture, (5) the director of fisheries, (6) the director of game, (7) the ~~((director of highways))~~ secretary of transportation, (8) the director of motor vehicles, (9) the director of general administration, (10) the director of commerce and economic development, and (11) the director of revenue.

Such officers, except the ~~((director of highways))~~ secretary of transportation and the director of game, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he shall present to that body his nomination for the office. The ~~((director of highways))~~ secretary of transportation shall be appointed by the ~~((state highway))~~ transportation commission as prescribed in section 4 of this 1975 amendatory act, and the director of game shall be appointed by the game commission.

NEW SECTION. Sec. 22. There is added to Title 47 RCW a new section to read as follows:

Unless the language specifically indicates otherwise, or unless the context plainly requires a different interpretation:

Wherever in Title 47 RCW or in any provision in the Revised Code of Washington the term "Washington state highway commission", "the state highway commission", "the highway commission", "the commission" (when referring to the Washington state highway commission), "the department of highways", "Washington toll bridge authority", or "the authority" (when referring to the Washington toll bridge authority) is used, it shall mean the department of transportation created in section 3 of this 1975 amendatory act.

Wherever in Title 47 RCW or in any provision in the Revised Code of Washington the term "director of highways" is used, it shall mean the secretary of transportation, whose office is created in section 4 of this 1975 amendatory act.

NEW SECTION. Sec. 23. There is added to chapter 1.08 RCW a new section to read as follows:

For purposes of harmonizing and clarifying the provisions of the statute sections published in the revised code of Washington, the code reviser may substitute words designating the department of transportation or the secretary of transportation, as appropriate, whenever necessary to effect the changes in meaning provided for in section 22 of this 1975 amendatory act or any other act of the 1975 legislature.

NEW SECTION. Sec. 24. (1) The transportation commission through the secretary of transportation, and in conjunction with the legislative transportation committee and the house and senate transportation and utilities committees, shall immediately undertake a study of the proper funding of the department of transportation, the state transportation systems and the functions vested in the department. The study shall encompass alternative sources of funding of both highway and nonhighway functions of the department.

(2) The transportation commission through the secretary of transportation shall prepare a proposed budget for the operations of the department of transportation for the biennium ending June 30, 1977, and in connection therewith shall obtain such data relating to the needs of the state transportation systems and functions as may be necessary.

(3) The transportation commission through the secretary of transportation shall present to the legislative transportation committee, the house and senate ways and means committees, and the house and senate transportation and utilities committees for their review not later than November 1, 1975, a preliminary budget including proposed alternative sources of funding for the department of transportation for the remainder of the biennium ending June 30, 1977.

NEW SECTION. Sec. 25. The chief of the Washington state patrol and the director of the department of motor vehicles are designated as official consultants to the transportation commission so that the goals and activities of the state patrol and the department of motor vehicles relating to traffic law enforcement, safety, and revenue collection are fully coordinated with other related responsibilities of the department of transportation. In this capacity, the chief of the Washington state patrol and the director of the department of motor vehicles shall consult with the transportation commission and the secretary of transportation on the traffic law enforcement, safety, and revenue collection implications and impacts of any proposed comprehensive transportation plan, program, or policy.

In order to develop fully integrated, balanced, and coordinated transportation plans, programs, and budgets the chief of the Washington state patrol and the director of the department of motor vehicles shall consult with the secretary of transportation on the matter of relative priorities during the development of their respective plans, programs, and budgets as they pertain to transportation activities. The secretary of transportation shall provide written comments to the governor and the legislature on the extent to which

the final plans, programs, and budgets of the state patrol and the department of motor vehicles are compatible with the priorities established in the department of transportation's final plans, programs, and budgets.

Sec. 26. Section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070 are each amended to read as follows:

In all situations wherein the director of highways or any member of the highway commission or the toll bridge authority was on (~~July 1, 1951~~) the effective date of this 1975 amendatory act, designated or serving as a member of any board, commission, committee, or authority, the (~~state highway commission~~) secretary of transportation shall hereafter determine who shall serve as such member.

Sec. 27. Section 46.44.080, chapter 12, Laws of 1961 as amended by section 1, chapter 15, Laws of 1973 2nd ex. sess. and RCW 46.44.080 are each amended to read as follows:

Local authorities with respect to public highways under their jurisdiction may prohibit the operation thereon of motor trucks or other vehicles or may impose limits as to the weight thereof, or any other restrictions as may be deemed necessary, whenever any such public highway by reason of rain, snow, climatic or other conditions, will be seriously damaged or destroyed unless the operation of vehicles thereon be prohibited or restricted or the permissible weights thereof reduced: PROVIDED, That whenever a highway has been closed generally to vehicles or specified classes of vehicles, local authorities shall by general rule or by special permit authorize the operation thereon of school buses, emergency vehicles, and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under such weight and speed restrictions as the local authorities deem necessary to protect the highway from undue damage: PROVIDED FURTHER, That the governing authorities of incorporated cities and towns shall not prohibit the use of any city street designated by the (~~state highway~~) transportation commission as forming a part of the route of any primary state highway through any such incorporated city or town by vehicles or any class of vehicles or impose any restrictions or reductions in permissible weights unless such restriction, limitation, or prohibition, or reduction in permissible weights be first approved in writing by the (~~highway commission~~) department of transportation.

The local authorities imposing any such restrictions or limitations, or prohibiting any use or reducing the permissible weights shall do so by proper ordinance or resolution and shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution in each end of the portion of any public highway affected thereby, and no such ordinance or resolution shall be effective unless and until such signs are erected and maintained.

The (~~highway commission~~) department shall have the same authority as hereinabove granted to local authorities to prohibit or restrict the operation of vehicles upon state highways (~~which rules shall be administered by the department of highways~~). The department (~~of highways~~) shall give public notice of closure or restriction. The (~~highway commission~~) department may (~~further authorize the department of highways to~~) issue special permits for the operation of school buses and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under specified weight and speed restrictions as may be necessary to protect any state highway from undue damage.

Sec. 28. Section 46.44.090, chapter 12, Laws of 1961 and RCW 46.44.090 are each amended to read as follows:

The (~~state highway~~) department of transportation, pursuant to rules adopted by the transportation commission with respect to (~~primary and secondary~~) state highways and local authorities with respect to public highways under their jurisdiction may, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size, weight of vehicle or load exceeding the maximum specified in this chapter or otherwise not in conformity with the provisions of this chapter upon any public highway under the jurisdiction of the authority granting such permit and for the maintenance of which such authority is responsible.

No overweight permit shall be issued to any vehicle or combination of vehicles unless such vehicle or combination of vehicles is licensed for the maximum gross weight allowed by law.

Sec. 29. Section 46.44.091, chapter 12, Laws of 1961 as amended by section 30, chapter 281, Laws 1969 ex. sess. and RCW 46.44.091 are each amended to read as follows:

No special permit shall be issued for movement on any (~~primary or secondary~~) state highway or route of any state (~~primary or secondary~~) highway within the limits of any city or town where the gross weight, including load, exceeds twenty-two thousand pounds on a single axle or forty-three thousand pounds on any group of axles having a wheelbase between the first and last axle thereof less than ten feet: PROVIDED, That the weight limitations pertaining to single axles may be exceeded to permit the movement of equipment operating upon single pneumatic tires having a rim width of twenty inches or more and a rim diameter of twenty-four inches or more or dual pneumatic tires having a rim width of sixteen inches or more and a rim diameter of twenty-four inches or more: PROVIDED FURTHER, That permits may be issued for weights in excess of the preceding limitations on highways or sections of highways which have been designed and constructed for weights in excess of such limitations; or these limitations may be rescinded when certification is made by military officials or by officials of public or private power facilities, when (~~in the opinion of the highway commission~~) the department of transportation, pursuant to general rules adopted by the transportation commission, determines that such movement or action is a necessary movement or action: PROVIDED FURTHER, That the structures and highway surfaces on the routes involved are determined to be capable of sustaining weights in excess of such limitations. Application shall

be made in writing on special forms provided by the (~~highway commission~~) department of transportation and shall be submitted at least thirty-six hours in advance of the proposed movement.

Sec. 30. Section 46.44.092, chapter 12, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1970 ex. sess. and RCW 46.44.092 are each amended to read as follows:

No special permit shall be issued for movement on any two lane state highway outside the limits of any city or town where the overall width of load exceeds fourteen feet, or on any multiple lane state highway where the overall width of load exceeds thirty-two feet; except that on multiple lane state highways where a physical barrier serving as a median divider separates the oncoming and opposing traffic lanes, no special permit shall be issued for width in excess of twenty feet: PROVIDED, That (1) these width limitations may be exceeded on state highways where the latest available traffic figures show that the highway or section of highway carries less than one hundred vehicles per day: PROVIDED FURTHER, That in the case of buildings, the limitations referred to in this section for movement on any two lane state highway other than the national system of interstate and defense highways may be exceeded under the following conditions: (a) Uninterrupted vehicular traffic shall be maintained in one direction at all times; (b) maximum distance of movement shall not exceed five miles; additional contiguous permits shall not be issued to exceed the five-mile limit: PROVIDED, That when (~~in the opinion of the highway commission~~) the department of transportation, pursuant to general rules adopted by the transportation commission, determines a hardship would result, this limitation may be exceeded upon approval of the (~~commission~~) department of transportation; (c) prior to issuing a permit a qualified (~~highway~~) transportation department employee shall make a visual inspection of the building and route involved determining that the conditions listed herein shall be complied with and that structures or overhead obstructions may be cleared or moved in order to maintain a constant and uninterrupted movement; (d) special escort or other precautions may be imposed to assure movement is made under the safest possible conditions, and the Washington state patrol shall be advised when and where the movement is to be made; (2) permits may be issued for widths of vehicles in excess of the preceding limitations on highways or sections of highways which have been designed and constructed for width in excess of such limitations; (3) these limitations may be rescinded when certification is made by military officials or by officials of public or private power facilities, when in the opinion of the (~~highway commission~~) department of transportation, the movement or action is a necessary emergency movement or action: PROVIDED FURTHER, That the structures and highway surfaces on the routes involved are determined to be capable of sustaining widths in excess of such limitation; (4) these limitations shall not apply to farmers moving farm machinery between farms during daylight hours if the movement does not pass along and upon any (~~primary or secondary~~) state highway for a distance greater than one hundred miles, if properly patrolled and flagged; (5) these limitations shall not apply to movement during daylight hours on any two lane state highway where the gross weight, including load, does not exceed forty-five thousand pounds and the overall width of load does not exceed sixteen feet: PROVIDED, That the minimum and maximum speed of such movements, prescribed routes of such movements, the times of such movements, limitation upon frequency of trips (which limitation shall be not less than one per week), and conditions to assure safety of traffic may be prescribed by the (~~highway commission~~) department of transportation or local authority issuing such special permit.

The applicant for any special permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular state highways for which permit to operate is requested and whether such permit is requested for a single trip or for continuous operation.

Sec. 31. Section 46.44.095, chapter 12, Laws of 1961 as last amended by section 1, chapter 76, Laws of 1974 ex. sess. and RCW 46.44.095 are each amended to read as follows:

When fully licensed to the maximum gross weight permitted under RCW 46.44.040, a two-axle truck or a three-axle truck operated as a solo unit and not in combination shall be eligible to carry gross weight in excess of that permitted for such a vehicle in RCW 46.44.040 upon the payment to the (~~state highway commission~~) department of transportation of a fee of thirty dollars for each one thousand pounds of excess weight: PROVIDED, That the axle loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44.042 or the wheelbase requirements specified in RCW 46.44.044.

When fully licensed to a minimum gross weight of seventy-two thousand pounds a three or more axle truck tractor and a three or more axle dromedary truck tractor, and a three or more axle truck, when operating in combination with another vehicle or vehicles (the licensed gross weight of which, if any, shall be included when computing the minimum gross weights set forth above), shall be eligible under special permits to be issued by the (~~state highway commission~~) department of transportation to carry additional gross loads beyond the licensed capacity of the combination of vehicles upon the payment of a fee based upon thirty dollars per year for each one thousand pounds of such additional gross weight but not to exceed one hundred and twenty dollars for the total additional weight: PROVIDED, That the axle loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44.042: AND PROVIDED FURTHER, That the gross weight of a three or more axle truck operated in combination with a two or three-axle trailer shall not exceed seventy-six thousand pounds, and the gross weight for a three or more axle truck tractor operated in combination with a semitrailer shall not exceed seventy-three thousand two hundred eighty pounds except where the semitrailer is eligible to carry a gross load of thirty-six thousand pounds pursuant to the provisions of RCW 46.44.040, in which event the maximum gross weight of the combination shall not exceed seventy-six thousand pounds. The minimum additional tonnage to be purchased pursuant to this paragraph for a three or more axle tractor to be operated in combination with a semitrailer shall be not less than one thousand two hundred and eighty pounds. The

permits provided for in the two preceding paragraphs shall be known as class A additional tonnage permits.

In addition to the gross weight purchased pursuant to RCW 46.16.070, 46.16.115, 46.44.037, and the foregoing provisions of this section and where, in the case of combinations of vehicles, the maximum gross weight permitted by law, including the preceding provisions of this section, has been purchased, a special permit for additional gross weight may be issued by the ~~((state highway commission))~~ department of transportation upon the payment of thirty-seven dollars and fifty cents per year for each one thousand pounds of such additional gross weight: PROVIDED, The tire limits specified in RCW 46.44.042 shall apply, and the gross weight on any single axle shall not exceed twenty thousand pounds and the gross load on any group of axles shall not exceed the following table:

Dis- tance in feet between the ex- tremes of any group of 2 or more consecu- tive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles								
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	
4	34,000								
5	34,000								
6	34,000								
7	34,000								
8	34,000	42,000							
9	39,000	42,500							
10	40,000	43,500							
11		44,000							
12		45,000	50,000						
13		45,500	50,500						
14		46,500	51,500						
15		47,000	52,000						
16		48,000	52,500	58,000					
17		48,500	53,500	58,500					
18		49,500	54,000	59,000					
19		50,000	54,500	60,000					
20		51,000	55,500	60,500	66,000				
21		51,500	56,000	61,000	66,500				
22		52,500	56,500	61,500	67,000				
23		53,000	57,500	62,500	68,000				
24		54,000	58,000	63,000	68,500	74,000			
25		54,500	58,500	64,500	69,000	74,500			
26		55,500	59,500	65,000	69,500	75,000			
27		56,000	60,000	65,000	70,000	75,500			
28		57,000	60,500	65,500	71,000	76,500	82,000		
29		57,500	61,500	66,000	71,500	77,000	82,500		
30		58,500	62,000	66,500	72,000	77,500	83,000		
31		59,000	62,500	67,500	72,500	78,000	83,500		
32		60,000	63,500	68,000	73,000	78,500	84,500	90,000	
33			64,000	68,500	74,000	79,000	85,000	90,500	
34			64,500	69,000	74,500	80,000	85,500	91,000	
35			65,500	70,000	75,000	80,500	86,000	91,500	
36			66,000	70,500	75,500	81,000	86,500	92,000	
37			66,500	71,000	76,000	81,500	87,000	93,000	
38			67,500	72,000	77,000	82,000	87,500	93,500	
39			68,000	72,500	77,500	82,500	88,500	94,000	
40			68,500	73,000	78,000	83,500	89,000	94,500	
41			69,500	73,500	78,500	84,000	89,500	95,000	
42			70,000	74,000	79,000	84,500	90,000	95,500	
43			70,500	75,000	80,000	85,000	90,500	96,000	
44			71,500	75,500	80,500	85,500	91,000	96,500	
45			72,000	76,000	81,000	86,000	91,500	97,500	
46			72,500	76,500	81,500	87,000	92,500	98,000	

47	73,500	77,500	82,000	87,500	93,000	98,500
48	74,000	78,000	83,000	88,000	93,500	99,000
49	74,500	78,500	83,500	88,500	94,000	99,500
50	75,500	79,000	84,000	89,000	94,500	100,000
51	76,000	80,000	84,500	89,500	95,000	100,500
52	76,500	80,500	85,000	90,500	95,500	101,000
53	77,500	81,000	86,000	91,000	96,500	102,000
54	78,000	81,500	86,500	91,500	97,000	102,500
55	78,500	82,500	87,500	92,000	97,500	103,000
56	79,500	83,000	87,500	92,500	98,000	103,500
57	80,000	83,500	88,000	93,000	98,500	104,000
58		84,000	89,000	94,000	99,000	104,500
59		85,000	89,500	94,500	99,500	105,000
60		85,500	90,000	95,000	100,500	105,500

Permits issued pursuant to the foregoing paragraph shall be known as class B additional tonnage permits.

The special permits provided for in this section shall be issued (~~under such rules and regulations and~~) upon such terms and conditions as may be prescribed by the ~~(state highway)~~ department pursuant to general rules adopted by the transportation commission. Such special permits shall entitle the permittee to carry such additional load in such an amount and upon such highways or sections of highways as may be determined by the ~~(state highway commission)~~ department of transportation to be capable of withstanding such increased gross load without undue injury to the highway: PROVIDED, That the permits shall not be valid on any highway where the use of such permits would deprive this state of federal funds for highway purposes.

The annual additional tonnage permits provided for in this section shall commence on the first of January of each year. The permits may be purchased at any time, and if they are purchased for less than a full year, the fee shall be one-twelfth of the full fee multiplied by the number of months, including any fraction thereof, covered by the permit. When the department issues a duplicate permit to replace a lost or destroyed permit and where the department transfers a permit from one vehicle to another a fee of five dollars shall be charged for each such duplicate issued or each such transfer. The ~~(state highway commission)~~ department of transportation shall issue such special permits on a temporary basis for periods not less than ten days at a fee of one dollar per day in the case of class A permits and not less than five days at two dollars per day in the case of class B permits.

The fees levied in RCW 46.44.094 and this section shall not apply to any vehicles owned and operated by the state of Washington, any county within the state or any city or town or metropolitan municipal corporation within the state, or by the federal government.

In the case of fleets prorating license fees under the provisions of chapter 46.85 RCW the fees provided for in RCW 46.44.037 and 46.44.095 shall be computed by the ~~(state highway commission)~~ department of transportation by applying the proportion of the Washington mileage of the fleet in question to the total mileage of the fleet as reported pursuant to chapter 46.85 RCW to the fees that would be required to purchase the additional weight allowance for all eligible vehicles or combinations of vehicles for which the extra weight allowance is requested.

The ~~(state highway commission)~~ department of transportation shall prorate the fees provided in RCW 46.44.037 and 46.44.095 only if the name of the operator or owner is submitted on official listings of authorized fleet operators furnished by the department of motor vehicles. Listings furnished shall also include the percentage of mileage operated in Washington, which shall be the same percentage as determined by the department of motor vehicles, for purposes of prorating license fees.

Sec. 32. Section 2, chapter 16, Laws of 1963 as last amended by section 1, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.405 are each amended to read as follows:

Whenever the ~~(state highway commission)~~ secretary of transportation shall determine upon the basis of an engineering and traffic investigation that any maximum speed hereinbefore set forth is greater than is reasonable or safe with respect to a state highway under the conditions found to exist at any intersection or upon any other part of the state highway system or at state ferry terminals, or that a general reduction of any maximum speed hereinbefore set forth would aid in the conservation of energy resources, ~~(said commission)~~ the secretary may determine and declare a reasonable and safe lower maximum limit or a lower maximum limit which will reasonably conserve energy resources, for any state highway, the entire state highway system, or any portion thereof, which shall be effective when appropriate signs giving notice thereof are erected. The ~~(commission)~~ secretary may also fix and regulate the speed of vehicles on any state highway within the maximum speed limit allowed by this chapter for special occasions including, but not limited to, local parades and other special events. Any such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon the said signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective (a) when posted upon appropriate fixed or variable signs or (b) if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of RCW 46.61.410, as now or hereafter amended.

Sec. 33. Section 3, chapter 16, Laws of 1963 as last amended by section 2, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.410 are each amended to read as follows:

(1) Subject to subsection (2) below the ~~((state highway commission))~~ secretary may increase the maximum speed limit on any highway or portion thereof to not more than seventy miles per hour in accordance with the design speed thereof (taking into account all safety elements included therein), or whenever ~~((said commission))~~ the secretary determines upon the basis of an engineering and traffic investigation that such greater speed is reasonable and safe under the circumstances existing on such part of the highway. The greater maximum limit so determined shall be effective, when appropriate signs giving notice thereof are erected, or if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of this section.

Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon said signs or in the case of auto stages, as indicated in said written notice; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs or if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of this section.

(2) The maximum speed limit for vehicles over ten thousand pounds gross weight and vehicles in combination except auto stages shall not exceed sixty miles per hour and may be established at a lower limit by the ~~((state highway commission))~~ secretary as provided in RCW 46.61.405, as now or hereafter amended.

(3) The word "trucks" used by the ~~((state highway commission))~~ department on signs giving notice of maximum speed limits shall mean vehicles over ten thousand pounds gross weight and all vehicles in combination except auto stages.

(4) Whenever the ~~((state highway commission))~~ secretary shall establish maximum speed limits for auto stages lower than the maximum limits for automobiles, the secretary ~~((of the state highway commission))~~ shall ~~((mail))~~ cause to be mailed notice thereof to each auto transportation company holding a certificate of public convenience and necessity issued by the Washington utilities and transportation commission. The notice shall be mailed to the chief place of business within the state of Washington of each auto transportation company or if none then its chief place of business without the state of Washington.

Sec. 34. Section 4, chapter 16, Laws of 1963 as amended by section 3, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.415 are each amended to read as follows:

(1) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under ~~((this act))~~ RCW 46.61.400 or 46.61.440 is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which

- (a) Decreases the limit at intersections; or
- (b) Increases the limit but not to more than sixty miles per hour; or
- (c) Decreases the limit but not to less than twenty miles per hour.

(2) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under RCW 46.61.400(2) but shall not exceed sixty miles per hour.

(3) The ~~((state highway commission))~~ secretary of transportation is authorized to establish speed limits on county roads and city and town streets as shall be necessary to conform with any federal requirements which are a prescribed condition for the allocation of federal funds to the state.

(4) Any altered limit established as hereinbefore authorized shall be effective when appropriate signs giving notice thereof are erected. Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon such signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

(5) Any alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the ~~((state highway commission))~~ secretary of transportation.

Sec. 35. Section 6, chapter 16, Laws of 1963 as last amended by section 1, chapter 135, Laws of 1969 and RCW 46.61.425 are each amended to read as follows:

(1) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law: PROVIDED, That a person following a vehicle driving at less than the legal maximum speed and desiring to pass such vehicle may exceed the speed limit, subject to the provisions of RCW 46.61.120 on highways having only one lane of traffic in each direction, at only such a speed and for only such a distance as is necessary to complete the pass with a reasonable margin of safety.

(2) Whenever the ~~((state highway commission))~~ secretary of transportation or local authorities within their respective jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway unreasonably impede the normal movement of traffic, the ~~((commission))~~

secretary or such local authority may determine and declare a minimum speed limit thereat which shall be effective when appropriate signs giving notice thereof are erected. No person shall drive a vehicle slower than such minimum speed limit except when necessary for safe operation or in compliance with law.

Sec. 36. Section 46.48.041, chapter 12, Laws of 1961 as amended by section 4, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.430 are each amended to read as follows:

Notwithstanding any law to the contrary or inconsistent herewith, the (~~Washington state highway commission~~) secretary of transportation shall have the power and the duty to fix and regulate the speed of vehicles within the maximum speed limit allowed by law for state highways, designated as limited access facilities, regardless of whether a portion of said highway is within the corporate limits of a city or town. No governing body or authority of such city or town or other political subdivision may have the power to pass or enforce any ordinance, rule, or regulation requiring a different rate of speed, and all such ordinances, rules, and regulations contrary to or inconsistent therewith now in force are void and of no effect.

Sec. 37. Section 46.48.080, chapter 12, Laws of 1961 and RCW 46.61.450 are each amended to read as follows:

It shall be unlawful for any person to operate a vehicle or any combination of vehicles over any bridge or other elevated structure or through any tunnel or underpass constituting a part of any public highway at a rate of speed or with a gross weight or of a size which is greater at any time than the maximum speed or maximum weight or size which can be maintained or carried with safety over any such bridge or structure or through any such tunnel, or underpass when such bridge, structure, tunnel or underpass is sign posted as hereinafter provided. The (~~state highway commission~~) secretary of transportation, if it be a bridge, structure, tunnel, or underpass upon a state highway, or the governing body or authorities of any county, city, or town, if it be upon roads or streets under their jurisdiction, may restrict the speed which may be maintained or the gross weight or size which may be operated upon or over any such bridge or elevated structure or through any such tunnel or underpass with safety thereto. The (~~state highway commission~~) secretary or the governing body or authorities of any county, city, or town having jurisdiction shall determine and declare the maximum speed or maximum gross weight or size which such bridge, elevated structure, tunnel, or underpass can withstand or accommodate and shall cause suitable signs stating such maximum speed or maximum gross weight, or size, or either, to be erected and maintained on the right hand side of such highway, road, or street and at a distance of not less than one hundred feet from each end of such bridge, structure, tunnel, or underpass and on the approach thereto: PROVIDED, That in the event that any such bridge, elevated structure, tunnel, or underpass is upon a city street designated by the (~~state highway~~) transportation commission as forming a part of the route of any state highway through any such incorporated city or town the determination of any maximum speed or maximum gross weight or size which such bridge, elevated structure, tunnel, or underpass can withstand or accommodate shall not be enforceable at any speed, weight, or size less than the maximum allowed by law, unless with the approval in writing of the (~~state highway commission~~) secretary. Upon the trial of any person charged with a violation of this section, proof of either violation of maximum speed or maximum weight, or size, or either, and the distance and location of such signs as are required, shall constitute conclusive evidence of the maximum speed or maximum weight, or size, or either, which can be maintained or carried with safety over such bridge or elevated structure or through such tunnel or underpass.

Sec. 38. Section 66, chapter 155, Laws of 1965 ex. sess. as amended by section 35, chapter 62, Laws of 1975 and RCW 46.61.570 are each amended to read as follows:

(l) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

- (a) Stop, stand, or park a vehicle:
  - (i) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
  - (ii) On a sidewalk or street planting strip;
  - (iii) Within an intersection;
  - (iv) On a crosswalk;
  - (v) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;
  - (vi) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
  - (vii) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
  - (viii) On any railroad tracks;
  - (ix) In the area between roadways of a divided highway including crossovers; or
  - (x) At any place where official signs prohibit stopping.
- (b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
  - (i) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;
    - (ii) Within fifteen feet of a fire hydrant;
    - (iii) Within twenty feet of a crosswalk;
    - (iv) Within thirty feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;
    - (v) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly signposted; or

(vi) At any place where official signs prohibit standing.

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:

(i) Within fifty feet of the nearest rail of a railroad crossing; or

(ii) At any place where official signs prohibit parking.

(2) Parking or standing shall be permitted in the manner provided by law at all other places except a time limit may be imposed or parking restricted at other places but such limitation and restriction shall be by city ordinance or county resolution or order of the ((state highway commission)) secretary of transportation upon highways under their respective jurisdictions.

(3) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

(4) It shall be unlawful for any person to reserve or attempt to reserve any portion of a highway for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right.

Sec. 39. Section 67, chapter 155, Laws of 1965 ex. sess. as amended by section 36, chapter 62, Laws of 1975 and RCW 46.61.575 are each amended to read as follows:

(1) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(2) Except when otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within twelve inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

(3) Local authorities may by ordinance or resolution permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the ((state highway commission)) secretary of transportation has determined by ((resolution or)) order that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(4) The ((state highway commission)) secretary with respect to highways under ((its)) his jurisdiction may place official traffic control devices prohibiting, limiting, or restricting the stopping, standing, or parking of vehicles on any highway where ((in its opinion, as evidenced by resolution or)) the secretary has determined by order, such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon. No person shall stop, stand, or park any vehicle in violation of the restrictions indicated by such devices.

Sec. 40. Sec. 40. Section 46.68.120, chapter 12, Laws of 1961 as last amended by section 47, chapter 195, Laws of 1973 1st ex. sess. and RCW 46.68.120 are each amended to read as follows:

Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

(1) Three-fourths of one percent of such sums shall be deducted monthly as such sums accrue and set aside for the use of the ((state highway commission)) department of transportation and the county road administration board for the supervision of work and expenditures of such counties on the county roads thereof, including the supervision and administration of federal-aid programs for which the department of transportation has responsibility: That any moneys so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

(3) The balance remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, upon the basis of the following formula:

(a) Ten percent of such sum shall be divided equally among the several counties.

(b) Thirty percent shall be paid to each county in direct proportion that the sum of the total number of private automobiles and trucks licensed by registered owners residing in unincorporated areas and seven percent of the number of private automobiles and trucks licensed by registered owners residing in incorporated areas within each county bears to the total of such sums for all counties. The number of registered vehicles so used shall be as certified by the ((director of the)) department of ((motor vehicles)) transportation for the year next preceding the date of calculation of the allocation amounts. The ((director of the)) department shall first supply such information not later than the fifteenth day of February, 1956, and on the fifteenth of February each two years thereafter.

(c) Thirty percent shall be paid to each county in direct proportion that the product of the county's trunk highway mileage and its prorated estimated annual cost per trunk mile as provided in subsection (e) is to the sum of such products for all counties. County trunk highways are defined as county roads regularly used by school buses and/or rural free delivery mail carriers of the United States post office department, but not foot carriers. Determination of the number of miles of county roads used in each county by school buses shall be based solely upon information supplied by the superintendent of public instruction who shall on October 1, 1955, and on October 1st of each odd-numbered year thereafter furnish the ((state highway)) transportation commission with a map of each county upon which is indicated the county roads used by school buses at the close of the preceding school year, together with a detailed statement showing the total number of miles of county highway over which school buses operated in each county during such year. Determination of the number of miles of county roads used in each county by rural mail carriers on



routes serviced by vehicles during the year shall be based solely upon information supplied by the United States postal department as of January 1st of the even-numbered years.

(d) Thirty percent of such sum shall be paid to each of the several counties in the direct proportion that the product of the trunk highway mileage of the county and its "money need factor" as defined in subsection (f) is to the total of such products for all counties.

(e) Every four years, beginning with the 1958 allocation, the ((highway)) transportation commission and the legislative transportation committee shall reexamine or cause to be reexamined all the factors on which the estimated annual costs per trunk mile for the several counties have been based and shall make such adjustments as may be necessary. The following formula shall be used: One twenty-fifth of the estimated total county road replacement cost, plus the total annual maintenance cost, divided by the total miles of county road in such county, and multiplied by the result obtained from dividing the total miles of county road in said county by the total trunk road mileage in said county. For the purpose of allocating funds from the motor vehicle fund, a county road shall be defined as one established as such by resolution or order of establishment of the board of county commissioners. The first allocation of funds shall be based on the following prorated estimated annual costs per trunk mile for the several counties as follows:

Adams .....	\$1,227.00
Asotin .....	1,629.00
Benton .....	1,644.00
Chelan .....	2,224.00
Clallam .....	2,059.00
Clark .....	1,710.00
Columbia .....	1,391.00
Cowlitz .....	1,696.00
Douglas .....	1,603.00
Ferry .....	1,333.00
Franklin .....	1,612.00
Garfield .....	1,223.00
Grant .....	1,714.00
Grays Harbor .....	2,430.00
Island .....	1,153.00
Jefferson .....	2,453.00
King .....	2,843.00
Kitsap .....	1,938.00
Kittitas .....	1,565.00
Klickitat .....	1,376.00
Lewis .....	1,758.00
Lincoln .....	1,038.00
Mason .....	1,748.00
Okanogan .....	1,260.00
Pacific .....	2,607.00
Pend Oreille .....	1,753.00
Pierce .....	2,276.00
San Juan .....	1,295.00
Skagit .....	1,966.00
Skamania .....	2,023.00
Snohomish .....	2,269.00
Spokane .....	1,482.00
Stevens .....	1,068.00
Thurston .....	1,870.00
Wahkiakum .....	2,123.00
Walla Walla .....	1,729.00
Whatcom .....	1,738.00
Whitman .....	1,454.00
Yakima .....	1,584.00

PROVIDED, HOWEVER, That the prorated estimated annual costs per trunk mile in this subsection shall be adjusted every four years, beginning with the 1958 allocation by the ((highway)) transportation commission on the basis of changes in the trunk and total county road mileage based on information supplied by the superintendent of public instruction, the United States postal department and the annual reports of the county road departments.

(f) The "money need factor" for each of the several counties shall be the difference between the prorated estimated annual costs as listed above and the sum of the following three amounts divided by the county trunk highway mileage:

(1) The equivalent of a two dollar and twenty-five cents per thousand dollars of assessed value tax levy on the valuation, as equalized by the state department of revenue for state purposes, of all taxable property in the county road districts;

(2) One-fourth the sum of all funds received by the county from the federal forest reserve fund during the two calendar years next preceding the date of the adjustment of the allocation amounts as certified by the state treasurer; and

(3) One-half the sum of motor vehicle license fees and motor vehicle fuel tax refunded to the county during the two calendar years next preceding the date of the adjustment of the allocation amounts as provided in RCW 46.68.080. These shall be as supplied to the ((highway)) transportation commission by the state treasurer for that purpose. The department of revenue and the state treasurer shall supply the information herein requested on or before January 1, 1956 and on said date each two years thereafter.

The following formula shall be used for the purpose of obtaining the "money need factor" of the several counties: The prorated estimated annual cost per trunk mile multiplied by the trunk miles will equal the total need of the individual county. The total need minus the sum of the three resources set forth in subsection (f) shall equal the net need. The net need of the individual county divided by the total net needs for all counties shall equal the "money need factor" for that county.

(g) The ((state highway)) transportation commission shall adjust the allocations of the several counties on March 1st of every even-numbered year based solely upon the sources of information hereinbefore required: PROVIDED, That the total allocation factor composed of the sum of the four factors defined in subsections (a), (b), (c), and (d) shall be held to a level not more than five percent above or five percent below the total allocation factor in use during the previous two year period.

(h) The ((highway)) transportation commission and the legislative transportation committee shall relog or cause to be relogged the total road mileages upon which the prorated estimated annual costs per trunk mile are based and shall recalculate such costs on the basis of such relogging and shall report their findings and recommendations to the legislature at its next regular session.

(i) The ((highway)) transportation commission and the legislative transportation committee shall study and report their findings and recommendations to the legislature concerning the following problems as they affect the allocation of "motor vehicle fund" funds to counties:

- (1) Comparative costs per trunk mile based on federal aid contracts versus those herein advocated((:));
- (2) Average costs per trunk mile((:));
- (3) The advisability of using either "trunk mileage" or "county road" mileage exclusively as the criterion instead of both as in this plan adopted((:));
- (4) Reassessment of bridge costs based on current information and relogging of bridges((:));
- (5) The items in the list of resources used in determining the "need factor"((:));
- (6) The development of a uniform accounting system for counties with regard to road and bridge construction and maintenance costs((:));
- (7) A redefinition of rural and urban vehicles which better reflects the use of said vehicles on county roads.

Sec. 41. Section 2, chapter 173, Laws of 1963 as amended by section 2, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.020 are each amended to read as follows:

The ((state highway commission)) department of transportation is hereby directed to conduct periodic analyses of the entire state highway system, and based thereon, to subdivide and classify according to their function and importance all designated state highways and those added from time to time other than the national system of interstate and defense highways and periodically review and revise the classifications, into the following additional four functional classes:

- (1) The "principal state highway system" which shall comprise not to exceed twenty percent of the total state highway mileage other than the interstate system((:));
- (2) The "major state highway system" which shall comprise not to exceed thirty-five percent of the total state highway mileage other than the interstate system((:));
- (3) The "collector state highway system" which shall comprise not to exceed thirty-five percent of the total state highway mileage other than the interstate system((:));
- (4) The "other state highway system".

In making such functional classification the ((highway commission)) department shall be governed by reasonable ((rules and regulations)) policies adopted by the commission, and give consideration to the following criteria:

- (a) Urban population centers within and without the state stratified and ranked according to size;
- (b) Important traffic generating economic activities, including but not limited to recreation, agriculture, government, business, and industry;
- (c) Feasibility of route, including availability of alternate routes within and without the state;
- (d) Directness of travel and distance between points of economic importance;
- (e) Length of trips;
- (f) Character and volume of traffic;
- (g) Preferential consideration for multiple service;
- (h) Reasonable spacing depending upon population density; and
- (i) System continuity, except for the "other" system.

Sec. 42. Section 3, chapter 173, Laws of 1963 as last amended by section 4, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.030 are each amended to read as follows:

The ((state highway commission)) department of transportation shall adopt and periodically revise in accordance with the policies established by the transportation commission and after consultation with the legislative transportation committee and senate and house transportation and utilities committees a long range plan for highway improvements, specifying highway planning objectives to be accomplished within a

fourteen year advance planning period, and within the framework of revenue estimates for such period. The plan shall be based upon the construction needs for state highways as determined and segregated according to functional class by the ((highway commission)) department from time to time.

With such reasonable deviations as may be required to effectively utilize the available funds and to adjust to unanticipated delays in programmed projects, the ((highway commission)) department shall allocate the estimated available funds, so as to carry out such rates of completion within a fourteen year advance planning period on that part of the national system of interstate and defense highways on which the federal government participates financially at the interstate rate under federal law and regulations, on the parts of the national system of interstate and defense highways on which federal aid participation is less than the regular interstate rate under federal law and regulations; and on the remaining four functional classes as the ((highway commission)) department, acting pursuant to ((reasonable rules and regulations)) policies adopted by the commission, shall determine to be necessary in order to maintain a balanced development of the state's highway system, considering primarily the following factors:

- (a) The relative remaining needs of each functional class of highways;
- (b) The estimated available funds;
- (c) Continuity of future developments with those previously programmed; and
- (d) Graduation of rates of completion according to functional class importance.

Sec. 43. Section 7, chapter 173, Laws of 1963 as amended by section 7, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.070 are each amended to read as follows:

The ((state highway)) transportation commission, with the assistance of the department, shall ((prepare)) approve and present to the governor and to the legislature ((at the time of)) prior to its convening, a recommended budget for the ensuing biennium. The biennial budget shall include details of proposed expenditures, performance and public service criteria for construction, maintenance, and planning activities in consonance with the six-year comprehensive program and financial plan adopted under provisions of RCW 47.05.040.

Sec. 44. Section 47.12.010, chapter 13, Laws of 1961 as amended by section 4, chapter 108, Laws of 1967 and RCW 47.12.010 are each amended to read as follows:

Whenever it is necessary to secure any lands or interests in land for a right of way for any state highway, or for the drainage thereof or construction of a protection therefor or so as to afford unobstructed vision therefor toward any railroad crossing or another public highway crossing or any point of danger to public travel or to provide a visual or sound buffer between highways and adjacent properties or for the purpose of acquiring sand pits, gravel pits, borrow pits, stone quarries, or any other land for the extraction of materials for construction or maintenance or both, or for any site for the erection upon and use as a maintenance camp, of any state highway, or any site for other necessary structures or for structures for the health and accommodation of persons traveling or stopping upon the state highways of this state, or any site for the construction and maintenance of structures and facilities adjacent to, under, upon, within, or above the right of way of any state highway for exclusive or nonexclusive use by an urban public transportation system, or for any other highway purpose, together with right of way to reach such property and gain access thereto, the ((highway commission)) department of transportation is authorized to acquire such lands or interests in land in behalf of the state by gift, purchase, or condemnation. In case of condemnation to secure such lands or interests in land, the action shall be brought in the name of the state of Washington in the manner provided for the acquiring of property for the public uses of the state, and in such action the selection of the lands or interests in land by the ((highway commission)) secretary of transportation shall, in the absence of bad faith, arbitrary, capricious, or fraudulent action, be conclusive upon the court and judge before which the action is brought that said lands or interests in land are necessary for public use for the purposes sought. The cost and expense of such lands or interests in land may be paid as a part of the cost of the state highway for which such right of way, drainage, unobstructed vision, sand pits, gravel pits, borrow pits, stone quarries, maintenance camp sites, and structure sites or other lands are acquired.

Sec. 45. Section 47.12.060, chapter 13, Laws of 1961 and RCW 47.12.060 are each amended to read as follows:

When a state highway is relocated and the old route is abandoned, and the new route crosses land owned by a person who owns land abutting on the old route, the ((Washington state highway commission)) department may agree with the owner to convey to him title to the old route or a part thereof as all or part consideration for his land to be taken for the new route.

Whenever the state has abandoned any highway rights of way, pit sites, or stock pile sites or owns land not needed for highway purposes, the ((Washington state highway commission)) department may sell same to abutting owners for the fair market value or exchange with any person as a consideration or part consideration for lands or property rights needed by the state, or may sell same by public auction whenever it is deemed in the public interest to do so.

The ((Washington state highway commission)) shall certify the agreement to the governor with a description of the property to be conveyed, and the governor may execute and the secretary of state shall attest) secretary of transportation shall execute the deed, which shall be duly acknowledged, and deliver it to the grantee.

Sec. 46. Section 47.12.070, chapter 13, Laws of 1961 as amended by section 2, chapter 91, Laws of 1969 and RCW 47.12.070 are each amended to read as follows:

If the ((Washington state highway commission)) department deems that any land is no longer required for state highway purposes and that it is in the public interest so to do, ((said highway commission)) the

department may negotiate for the sale of the land to a city or county of the state. (~~The state highway commission shall certify the agreement for the sale to the governor, with a description of the land and the terms of the sale, and the governor may execute and the secretary of the state shall attest~~) If a sale is agreed to, the secretary of transportation shall execute the deed, which shall be duly acknowledged, and deliver it to the grantee.

Any moneys received pursuant to the provisions of this section shall be deposited in the motor vehicle fund.

Sec. 47. Section 47.12.080, chapter 13, Laws of 1961 and RCW 47.12.080 are each amended to read as follows:

Whenever in the construction, reconstruction, location, or improvement of any state highway it may become necessary to transfer and convey to the United States, its agencies or instrumentalities, to any municipal subdivision of this state, or to any public utility company, any unused state highway right of way or real property, and in the judgment of the (~~highway commission~~) secretary of transportation and the attorney general, such transfer and conveyance is consistent with public interest, the (~~highway commission~~) secretary may enter into agreements accordingly. Whenever the (~~highway commission~~) secretary shall make any such agreement for any such transfer or conveyance, and (~~together with~~) the attorney general concurs therein, (~~certifies to the governor that such agreement has been made setting forth in such certification a description of the lands or premises involved, the governor may execute and the secretary of state shall attest~~) the secretary shall execute and deliver unto the United States government, or its agencies or instrumentalities, unto any municipal subdivision of this state, or unto any public utility company, a duly acknowledged deed of conveyance, easement, or other instrument necessary to fulfill the terms of the aforesaid agreement. All moneys paid to the state of Washington under any of the provisions hereof shall be deposited in the motor vehicle fund.

Sec. 48. Section 47.12.120, chapter 13, Laws of 1961 as amended by section 1, chapter 91, Laws of 1969 and RCW 47.12.120 are each amended to read as follows:

The (~~highway commission~~) department is authorized, subject to the provisions and requirements of zoning ordinances of political subdivisions of government, to rent or lease any lands, improvements, or air space above or below any lands, including those used or to be used for both limited access and conventional highways which are held for highway purposes but are not presently needed, upon such terms and conditions as the (~~highway commission~~) department may determine.

Sec. 49. Section 47.12.130, chapter 13, Laws of 1961 and RCW 47.12.130 are each amended to read as follows:

Whenever the (~~state~~) department (~~of highways~~) shall have title to any parcel of land acquired for highway purposes which the (~~state highway commission~~) secretary of transportation shall determine is not necessary for highway purposes, the (~~commission~~) secretary of transportation is authorized to (~~cause~~) deed such land (~~to be deeded~~) to the owner of land abutting upon such parcel in consideration, or partial consideration, for other lands owned by such property owner which the (~~highway commission~~) department deems to be necessary for highway purposes. (~~The governor is authorized to execute and the secretary of state shall attest the conveyances necessary to carry out such exchange.~~)

Sec. 50. Section 47.12.140, chapter 13, Laws of 1961 and RCW 47.12.140 are each amended to read as follows:

Whenever the (~~state highway~~) department shall have acquired any lands for highway purposes, except state granted lands, upon which are located any structures, timber, or other thing of value attached to the land, which the (~~state highway commission~~) department shall deem it best to sever from the land and sell as personal property, the same may be sold by the department (~~of highways~~) at public auction after due notice thereof shall have been given in accordance with general regulations (~~prescribed~~) adopted by the (~~state highway commission~~) secretary. The (~~state highway commission~~) department may set minimum prices that will be accepted for any item offered for sale at public auction as herein provided and may prescribe terms or conditions of sale and, in the event that any item shall be offered for sale at such auction and for which no satisfactory bids shall be received or for which the amount bid shall be less than the minimum set by the (~~commission~~) department, it shall be lawful for the (~~commission~~) department to sell such item at private sale for the best price which it deems obtainable but at not less than the highest price bid at the public auction. The proceeds of all sales under this section shall be placed in the motor vehicle fund.

Sec. 51. Section 47.12.150, chapter 13, Laws of 1961 and RCW 47.12.150 are each amended to read as follows:

Whenever the (~~highway commission~~) department shall need for highway purposes land or property rights belonging to the United States government or any municipality or political subdivision of the state, or which shall be a part of the right of way of any public utility having authority to exercise powers of eminent domain, when the acquisition of such property by the state will result in the displacement of any existing right of way or facility, the (~~state highway commission~~) department is authorized to acquire by condemnation or otherwise such lands and property rights as shall be needed to relocate such right of way or facilities so displaced and to exchange lands or property rights so acquired in consideration or partial consideration for the land or property rights needed for highway purposes. The (~~governor, at the request of the state highway commission,~~) secretary of transportation shall execute all conveyances, duly acknowledged, necessary to accomplish such exchange.

Sec. 52. Section 2, chapter 281, Laws of 1961 and RCW 47.12.190 are each amended to read as follows:

The (~~Washington state highway commission~~) department, in addition to its other powers and duties as provided by law, is authorized to purchase or condemn any real property or property rights therein which it deems will be necessary for the improvements of routes on the state highway system by the method provided in RCW 47.12.180 through 47.12.240. Condemnation actions brought hereunder shall be brought in the name of the state as provided for acquiring property for the public uses of the state, and in such actions selection of the property and property rights by the (~~highway commission~~) secretary of transportation is conclusive that they are necessary for the purposes sought, in the absence of bad faith, or arbitrary, capricious, or fraudulent action.

Sec. 53. Section 3, chapter 281, Laws of 1961 as amended by section 2, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.200 are each amended to read as follows:

The (~~highway~~) transportation commission may enter into agreements with the state finance committee for financing the acquisition, by purchase or condemnation, of real property together with engineering costs that the (~~highway~~) transportation commission deems will be necessary for the improvement of the state highway system. Such agreements may provide for the acquisition of an individual parcel or for the acquisition of any number of parcels within the limits of a contemplated highway project.

Sec. 54. Section 5, chapter 281, Laws of 1961 as amended by section 4, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.220 are each amended to read as follows:

Each such agreement shall include, but shall not be limited to the following:

(1) A provision stating the term of the agreement which shall not extend more than seven years from the effective date of the agreement((:));

(2) A designation of the specific fund or funds to be used to carry out such agreement((:));

(3) A provision that the (~~highway commission~~) department of transportation may redeem warrants purchased by the state finance committee at any time prior to the letting of a highway improvement contract utilizing the property; and further, during the effective period of each such agreement the (~~highway commission~~) department of transportation shall redeem such warrants whenever such a highway improvement contract is let, or upon the expiration of such agreement, whichever date is earlier((:));

(4) A provision stating the rate of interest such warrants shall bear commencing at the time of purchase by the state finance committee((:));

(5) Any additional provisions agreed upon by the (~~highway~~) transportation commission and the state finance committee which are necessary to carry out the purposes of such agreement as indicated by RCW 47.12.180 through 47.12.240, as now or hereafter amended.

Sec. 55. Section 47.24.010, chapter 13, Laws of 1961 as amended by section 3, chapter 95, Laws of 1973 and RCW 47.24.010 are each amended to read as follows:

The (~~state highway~~) transportation commission shall determine what streets, together with bridges thereon and wharves necessary for use for ferriage of motor vehicle traffic in connection with such streets, if any, in any incorporated cities and towns shall form a part of the route of state highways and between the first and fifteenth days of July of any year the (~~state highway commission~~) department of transportation shall certify to the clerk of each city or town, by brief description, the streets, together with the bridges thereon and wharves, if any, in such city or town which are designated as forming a part of the route of any state highway; and all such streets, including curbs and gutters and street intersections and such bridges and wharves, shall thereafter be a part of the state highway system and as such shall be constructed and maintained by the (~~state highway commission~~) department of transportation from any state funds available therefor: PROVIDED, That the responsibility for the construction and maintenance of any such street together with its appurtenances may be returned to a city or a town upon certification by the (~~state highway commission~~) department of transportation to the state auditor and to the clerk of any city or town that such street, or portion thereof, is no longer required as a part of the state highway system: PROVIDED FURTHER, That any such certification that a street, or portion thereof, is no longer required as a part of the state highway system shall be made between the first and fifteenth of July following the determination by the (~~state highway commission~~) department that such street or portion thereof is no longer required as a part of the state highway system, but this shall not prevent the (~~state highway commission~~) department and any city or town from entering into an agreement that a city or town will accept responsibility for such a street or portion thereof at some time other than between the first and fifteenth of July of any year.

Sec. 56. Section 20, chapter 83, Laws of 1967 ex. sess. as amended by section 3, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.140 are each amended to read as follows:

The (~~assistant director of highways for state aid~~) department of transportation shall furnish necessary staff services and facilities required by the urban arterial board. The cost of such services, together with travel expenses of the members and all other lawful expenses of the board, shall be paid from the urban arterial trust account in the motor vehicle fund. The urban arterial board may appoint an executive secretary who shall serve at its pleasure and whose salary shall be set by the board and paid from the urban arterial trust account in the motor vehicle fund.

Sec. 57. Section 47.28.010, chapter 13, Laws of 1961 and RCW 47.28.010 are each amended to read as follows:

Whenever the general route of any state highway shall be designated and laid out as running to or by way of certain designated points, without specifying the particular route to be followed to or by way of such points, the (~~highway~~) transportation commission shall determine the particular route to be followed by said state highway to or by way of said designated points, and shall be at liberty to select and adopt as a part of such state highway, the whole or any part of any existing public highway previously designated as

a county road, primary road, or secondary road or now or hereafter classified as a county road. The ((highway)) commission need not select and adopt the entire routes for such state highways at one time, but may select and adopt parts of such routes from time to time as it deems advisable. Where a state highway is designated as passing by way of a certain point, this shall not require the ((highway)) commission to cause such state highway to pass through or touch such point but such designation is directional only and may be complied with by location in the general vicinity. The ((highway commission)) department of transportation is empowered to construct as a part of any state highway as designated and in addition to any portion meeting the limits of any incorporated city or town a bypass section either through or around any such incorporated city or town.

Sec. 58. Section 47.36.020, chapter 13, Laws of 1961 and RCW 47.36.020 are each amended to read as follows:

The ((highway commission)) secretary of transportation shall adopt specifications for a uniform system of traffic control signals consistent with the provisions of this title for use upon public highways within this state. Such uniform system shall correlate with and so far as possible conform to the system current as approved by the American Association of State Highway Officials and as set out in the manual of uniform traffic control devices for streets and highways.

Sec. 59. Section 47.36.030, chapter 13, Laws of 1961 and RCW 47.36.030 are each amended to read as follows:

The ((highway commission)) secretary of transportation shall have the power and it shall be its duty to adopt and designate a uniform state standard for the manufacture, display, erection, and location of all signs, signals, signboards, guideposts, and other traffic devices erected or to be erected upon the state highways of the state of Washington for the purpose of furnishing information to persons traveling upon such state highways regarding traffic regulations, directions, distances, points of danger, and conditions requiring caution, and for the purpose of imposing restrictions upon persons operating vehicles thereon. Such signs shall conform as nearly as practicable to the manual of specifications for the manufacture, display, and erection of uniform traffic control devices for streets and highways and all amendments, corrections, and additions thereto. The ((highway commission)) department of transportation shall prepare plans and specifications of the uniform state standard of traffic devices so adopted and designated, showing the materials, colors, and designs thereof, and shall upon the issuance of any such plans and specifications or revisions thereof and upon request, furnish to the boards of county commissioners and the governing body of any incorporated city or town, a copy thereof. Signs, signals, signboards, guideposts, and other traffic devices erected on county roads shall conform in all respects to the specifications of color, design, and location ((devised)) approved by the ((highway commission)) secretary. Traffic devices hereafter erected within incorporated cities and towns shall conform to such uniform state standard of traffic devices so far as is practicable.

Sec. 60. Section 47.52.027, chapter 13, Laws of 1961 and RCW 47.52.027 are each amended to read as follows:

The ((state highway commission)) secretary of transportation may adopt design standards, rules, and regulations relating to construction, maintenance, and control of access of the national system of interstate and defense highways within this state as it deems advisable to properly control access thereto, to preserve the traffic-carrying capacity of such highways, and to provide the maximum degree of safety to users thereof. In adopting such standards, rules, and regulations the ((commission)) secretary shall take into account the policies, rules, and regulations of the United States secretary of commerce and the ((bureau of public roads)) federal highway administration relating to the construction, maintenance, and operation of the system of interstate and defense highways. The standards, rules, and regulations so adopted by the ((commission)) secretary shall constitute the public policy of this state and shall have the force and effect of law.

Sec. 61. Section 5, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.139 are each amended to read as follows:

Upon receipt of the findings and order adopting a plan, the county, city, or town may notify the ((state highway commission)) department of transportation of its approval of such plan in writing, in which event such plan shall be final.

In the event that a county, city, or town does not approve the plan, the county, city, or town shall file its disapproval in writing with the ((state highway commission)) secretary of transportation within thirty days after the mailing thereof to such mayor or county commissioner. Along with the written disapproval shall be filed a written request for a hearing before a board of review, hereinafter referred to as the board. The request for hearing shall set forth the portions of the plan of the ((state highway commission)) department to which the county, city, or town objects, and shall include every issue to be considered by the board. The hearing before a board of review shall be governed by RCW 47.52.150 through 47.52.190, as now or hereafter amended.

Sec. 62. Section 47.52.150, chapter 13, Laws of 1961 as amended by section 3, chapter 103, Laws of 1963 and RCW 47.52.150 are each amended to read as follows:

Upon request for a hearing before the board by any county, city, or town, a board consisting of five members shall be appointed as follows: The mayor or the county commissioners, as the case may be shall appoint two members of the board, of which one shall be a duly elected official of the city, county, or legislative district, except that of the legislative body of the county, city, or town requesting the hearing, subject to confirmation by the legislative body of the city or town; the ((state highway commission)) secretary

of transportation shall appoint two members of the board (~~who shall not be members of such commission~~); and one member shall be selected by the four members thus appointed. Such fifth member shall be a licensed civil engineer or a recognized professional city or town planner, who shall be chairman of the board. In the case both the county and an included city or town request a hearing, the board shall consist of nine members appointed as follows: The mayor and the county commission shall each appoint two members from the elective officials of their respective jurisdictions, and of the four thus selected no more than two thereof may be members of a legislative body of the county, city, or town. The ~~(state highway commission)~~ secretary of transportation shall appoint four members of the board (~~who shall not be members of such commission~~). One member shall be selected by the members thus selected, and such ninth member shall be a licensed civil engineer or a recognized city or town planner, who shall be chairman of the board. Such boards as are provided by this section shall be appointed within thirty days after ~~(the next meeting of the state highway commission immediately following)~~ the receipt of such a request by the ~~(commission)~~ secretary. In the event the ~~(state highway commission)~~ secretary or a county, city, or town shall not appoint members of the board or members thus appointed fail to appoint a fifth or ninth member of the board, as the case may be, either the ~~(state highway commission)~~ secretary or the county, city, or town may apply to the superior court of the county in which the county, city, or town is situated to appoint the member or members of the board in accordance with the provisions of this chapter.

Sec. 63. Section 47.52.180, chapter 13, Laws of 1961 and RCW 47.52.180 are each amended to read as follows:

At the conclusion of such hearing, the board shall consider the evidence taken and shall make specific findings with respect to the objections and issues within thirty days after the hearing, which findings shall approve, disapprove, or modify the proposed plan of the ~~(state highway commission)~~ department of transportation. Such findings shall be final and binding upon both parties.

Sec. 64. Section 47.56.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 180, Laws of 1969 ex. sess. and RCW 47.56.030 are each amended to read as follows:

The ~~(state highway commission)~~ department of transportation shall have full charge of the construction of all toll bridges and other toll facilities including the Washington state ferries (~~that may be authorized by the Washington toll bridge authority~~), and the operation and maintenance thereof (~~and the collection of tolls and charges thereon~~). The transportation commission shall determine and establish the tolls and charges thereon, and shall perform all duties and exercise all powers relating to the financing, refinancing, and fiscal management of the state ferry systems, and bonded indebtedness in the manner provided by law. The ~~(commission)~~ department shall have full charge of design of all toll facilities. The ~~(commission)~~ department shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract in the manner of state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable. The ~~(highway commission)~~ department is authorized to negotiate contracts for any amount without bid in order to make repairs to ferries or ferry terminal facilities or removal of such facilities whenever continued use of ferries or ferry terminal facilities constitutes a real or immediate danger to the traveling public or precludes prudent use of such ferries or facilities.

Sec. 65. Section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070 are each amended to read as follows:

The ~~(authority)~~ department of transportation, with the approval of the transportation commission, may provide for the establishment, construction, and operation of toll tunnels, toll roads, and other facilities necessary for their construction and connection with public highways of the state. It may cause surveys to be made to determine the propriety of their establishment, construction, and operation, and may acquire rights of way and other facilities necessary to carry out the provisions hereof; and may issue, sell, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction thereof; carry insurance thereon; and handle any other matters pertaining thereto, all of which shall be conducted in the same manner and under the same procedure as provided for the establishing, constructing, operating, and maintaining of toll bridges by the ~~(authority)~~ department, insofar as reasonably consistent and applicable. No toll facility, toll bridge, toll road, or toll tunnel, shall be combined with any other toll facility for the purpose of financing unless such facilities form a continuous project, to the end that each such facility or project be self-liquidating and self-sustaining (~~PROVIDED, That no toll road shall be constructed, obligations for the construction thereof entered into, or right of way acquired without prior approval of the location, plans and specifications by the Washington state highway commission~~)).

Sec. 66. Section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080 are each amended to read as follows:

Whenever in the judgment of the ~~(highway)~~ transportation commission it is considered in the best interest of the public highways of the state that any new toll bridge or bridges be constructed upon any public highway and across any stream, body of water, gulch, navigable water, swamp, or other topographical formation and operated by the state the ~~(highway)~~ commission shall ~~(submit its recommendation to that effect to the Washington toll bridge authority together with preliminary estimates of the cost of such construction and an estimate of the amount necessary to be raised for such purpose by the issuance of revenue bonds, and a statement of the probable amount of money, property, materials or labor to be contributed from other sources in aid of any such construction. If the Washington toll bridge authority concurs in the recommendation of the highway commission or on its own motion determines to construct any toll bridge or toll bridges, the Washington toll bridge authority shall)~~ adopt a resolution declaring that

public interest and necessity require the construction of such toll bridge or bridges and authorizing the issuance of revenue bonds for the purpose of obtaining funds in an amount not in excess of that estimated to be required for such construction. The issuance of bonds as provided in this chapter for the construction of more than one toll bridge may at the discretion of the (~~Washington toll bridge authority~~) commission be included in the same authority and issue of bonds.

Sec. 67. Section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090 are each amended to read as follows:

~~(Whenever the Washington toll bridge authority shall authorize and direct the highway commission to construct a toll bridge the highway commission)~~ The department of transportation is empowered to secure right of way ((therefor) for toll bridges and for approaches thereto by gift or purchase, or by condemnation in the manner provided by law for the taking of private property for public highway purposes.

Sec. 68. Section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120 are each amended to read as follows:

In the event that the (~~Washington toll bridge authority~~) transportation commission should determine that any toll bridge should be constructed (~~under its authority it shall authorize and direct the highway commission to construct such toll bridge. In the event the highway commission is authorized and directed to construct such toll bridge~~), all cost thereof including right of way, survey, and engineering shall be paid out of any funds available for payment of the cost of such toll bridge under this chapter.

Sec. 69. Section 47.56.250, chapter 13, Laws of 1961 and RCW 47.56.250 are each amended to read as follows:

Whenever a proposed toll bridge, toll road, toll tunnel, or any other toll facility of any sort is to be constructed, any city, county, or other political subdivision located in relation to such facility so as to benefit directly or indirectly thereby, may, either jointly or separately, at the request of the (~~Washington state highway commission or the authority~~) transportation commission advance or contribute money, or bonds, rights of way, labor, materials, and other property toward the expense of building the toll facility, and for preliminary surveys and the preparation of plans and estimates of cost therefor and other preliminary expenses. Any such city, county, or other political subdivision may, either jointly or separately, at the request of the transportation commission (~~or the authority~~) commission advance or contribute money or bonds for the purpose of guaranteeing the payment of interest or principal on the bonds issued by the (~~authority~~) commission to finance the toll facility. Appropriations for such purposes may be made from any funds available, including county road funds received from or credited by the state, or funds obtained by excess tax levies made pursuant to law or the issuance of general obligation bonds for such purpose. General obligation bonds issued by a city, county, or political subdivision may with the consent of the (~~state highway~~) commission (~~or the authority~~) be placed with the (~~Washington toll bridge authority~~) department of transportation to be sold by the (~~authority~~) department to provide funds for such purpose. Money, or bonds, or property so advanced or contributed may be immediately transferred or delivered to the (~~authority~~) department to be used for the purpose for which contribution was made. The (~~authority~~) commission may enter into an agreement with a city, county, or other political subdivision to repay any money, or bonds or the value of a right of way, labor, materials, or other property so advanced or contributed. The (~~authority~~) commission may make such repayment to a city, county, or other political subdivision and reimburse the state for any expenditures made by it in connection with the toll facility out of tolls and other revenues for the use of the toll facility.

Sec. 70. Section 3, chapter 257, Laws of 1961 as amended by section 3, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.56.254 are each amended to read as follows:

If the (~~authority~~) secretary of transportation determines that any real property (including lands, improvements thereon, and any interests or estates) held by the (~~authority~~) department is no longer required for purposes of the (~~authority~~) department, the (~~authority~~) department shall offer it for sale as authorized by RCW 47.56.252 or (~~in the manner and with the authority authorized to the state highway commission by~~) RCW 47.12.280. The (~~authority~~) department may adopt rules further implementing this section (~~as granted to the highway commission by RCW 47.12.280~~).

NEW SECTION. Sec. 71. There is added to Title 47 RCW a new section to read as follows:

If any part of this title or any section of this 1975 amendatory act is ruled to be in conflict with federal requirements which are a prescribed condition of the allocation of federal funds to the state, or to any department or agencies thereof, such conflicting part or section is declared to be inoperative solely to the extent of the conflict. No such ruling shall affect the operation of the remainder of the act. Any internal reorganization carried out under the terms of this title or any section of this 1975 amendatory act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 72. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 73. The rule of strict construction shall have no application to this title, and it shall be liberally construed in order to carry out the objectives for which it is designed. Any ambiguities arising from its interpretation should be resolved consistently with the broad purposes set forth in section 1 of this 1975 amendatory act.

NEW SECTION. Sec. 74. Title 47 RCW, presently titled "Public Highways" shall, upon the implementation of this 1975 amendatory act, be known and referred to as "Public Highways and Transportation".

NEW SECTION. Sec. 75. The following acts or parts of acts are each repealed:



- (1) Section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010;
- (2) Section 47.01.020, chapter 13, Laws of 1961 and RCW 47.01.020;
- (3) Section 47.01.030, chapter 13, Laws of 1961, section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030;
- (4) Section 47.01.040, chapter 13, Laws of 1961, section 31, chapter 170, Laws of 1965 ex. sess. and RCW 47.01.040;
- (5) Section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050;
- (6) Section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060;
- (7) Section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080;
- (8) Section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090;
- (9) Section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100;
- (10) Section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120;
- (11) Section 47.01.130, chapter 13, Laws of 1961, section 10, chapter 307, Laws of 1961 and RCW 47.01.130;
- (12) Section 1, chapter 29, Laws of 1974 ex. sess. and RCW 47.01.160; and
- (13) Section 10, chapter 278, Laws of 1961, section 30, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.034.

**NEW SECTION.** Sec. 76. This 1975 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."

On page 1, line 3 of the title, after "functions;" strike the remainder of the title and insert "transferring to the jurisdiction of the department of transportation and/or the secretary of transportation certain powers, duties, and functions of the department of highways, the highway commission, and the toll bridge authority; transferring to the jurisdiction of the secretary of transportation certain powers, duties, and functions of certain state officials, boards, and commissions; providing the procedure for the aforesaid transfers; saving certain rights; abolishing certain state agencies and offices; renaming Title 47 RCW; amending section 1, chapter 11, Laws of 1971 and RCW 43.17.010; amending section 2, chapter 11, Laws of 1971 and RCW 43.17.020; amending section 46.44.080, chapter 12, Laws of 1961 as amended by section 1, chapter 15, Laws of 1973 2nd ex. sess. and RCW 46.44.080; amending section 46.44.090, chapter 12, Laws of 1961 and RCW 46.44.090; amending section 46.44.091, chapter 12, Laws of 1961 as amended by section 30, chapter 281, Laws 1969 ex. sess. and RCW 46.44.091; amending section 46.44.092, chapter 12, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1970 ex. sess. and RCW 46.44.092; amending section 46.44.095, chapter 12, Laws of 1961 as last amended by section 1, chapter 76, Laws of 1974 ex. sess. and RCW 46.44.095; amending section 2, chapter 16, Laws of 1963 as last amended by section 1, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.405; amending section 3, chapter 16, Laws of 1963 as last amended by section 2, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.410; amending section 4, chapter 16, Laws of 1963 as amended by section 3, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.415; amending section 6, chapter 16, Laws of 1963 as last amended by section 1, chapter 135, Laws of 1969 and RCW 46.61.425; amending section 46.48.041, chapter 12, Laws of 1961 as amended by section 4, chapter 103, Laws of 1974 ex. sess. and RCW 46.61.430; amending section 46.48.080, chapter 12, Laws of 1961 and RCW 46.61.450; amending section 66, chapter 155, Laws of 1965 ex. sess. as amended by section 35, chapter 62, Laws of 1975 and RCW 46.61.570; amending section 67, chapter 155, Laws of 1965 ex. sess. as amended by section 36, chapter 62, Laws of 1975 and RCW 46.61.575; amending section 46.68.120, chapter 12, Laws of 1961 as last amended by section 47, chapter 195, Laws of 1973 1st ex. sess. and RCW 46.68.120; amending section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070; amending section 2, chapter 173, Laws of 1963 as amended by section 2, chapter 39, Laws of 1969 ex. sess. and RCW 47.05.020; amending section 3, chapter 173, Laws of 1963 as last amended by section 4, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.030; amending section 7, chapter 173, Laws of 1963 as amended by section 7, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.05.070; amending section 47.12.010, chapter 13, Laws of 1961 as amended by section 4, chapter 108, Laws of 1967 and RCW 47.12.010; amending section 47.12.060, chapter 13, Laws of 1961 and RCW 47.12.060; amending section 47.12.070, chapter 13, Laws of 1961 as amended by section 2, chapter 91, Laws of 1969 and RCW 47.12.070; amending section 47.12.080, chapter 13, Laws of 1961 and RCW 47.12.080; amending section 47.12.120, chapter 13, Laws of 1961 as amended by section 1, chapter 91, Laws of 1969 and RCW 47.12.120; amending section 47.12.130, chapter 13, Laws of 1961 and RCW 47.12.130; amending section 47.12.140, chapter 13, Laws of 1961 and RCW 47.12.140; amending section 47.12.150, chapter 13, Laws of 1961 and RCW 47.12.150; amending section 2, chapter 281, Laws of 1961 and RCW 47.12.190; amending section 3, chapter 281, Laws of 1961 as amended by section 2, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.200; amending section 5, chapter 281, Laws of 1961 as amended by section 4, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.220; amending section 47.24.010, chapter 13, Laws of 1961 as amended by section 3, chapter 95, Laws of 1973 and RCW 47.24.010; amending section 20, chapter 83, Laws of 1967 ex. sess. as amended by section 3, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.140; amending section 47.28.010, chapter 13, Laws of 1961 and RCW 47.28.010; amending section 47.36.020, chapter 13, Laws of 1961 and RCW 47.36.020; amending section 47.36.030, chapter 13, Laws of 1961 and RCW 47.36.030; amending section 47.52.027, chapter 13, Laws of 1961 and RCW 47.52.027; amending section 5, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.139; amending section 47.52.150, chapter 13, Laws of 1961 as amended by section 3, chapter 103, Laws of 1963 and RCW 47.52.150; amending section 47.52.180, chapter 13, Laws of 1961 and RCW 47.52.180; amending section 47.56.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 180,

Laws of 1969 ex. sess. and RCW 47.56.030; amending section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070; amending section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080; amending section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090; amending section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120; amending section 47.56.250, chapter 13, Laws of 1961 and RCW 47.56.250; amending section 3, chapter 257, Laws of 1961 as amended by section 3, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.56.254; adding a new section to chapter 1.08 RCW; adding a new section to chapter 13, Laws of 1961 and to chapter 47.01 RCW; adding new sections to Title 47 RCW; creating new sections; repealing section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; repealing section 47.01.020, chapter 13, Laws of 1961 and RCW 47.01.020; repealing section 47.01.030, chapter 13, Laws of 1961, section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030; repealing section 47.01.040, chapter 13, Laws of 1961, section 31, chapter 170, Laws of 1965 ex. sess. and RCW 47.01.040; repealing section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050; repealing section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060; repealing section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080; repealing section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090; repealing section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100; repealing section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120; repealing section 47.01.130, chapter 13, Laws of 1961 and RCW 47.01.130; repealing section 1, chapter 29, Laws of 1974 ex. sess. and RCW 47.01.160; repealing section 10, chapter 278, Laws of 1961, section 30, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.034; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Conner, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 164.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 164 as amended by the Senate.

Mr. Hansen spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Hansen yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I was informed a while ago that unless the Governor had the power to fire the chairman, he was going to veto this bill. The way it is now the bill provides that the Highway Commission only has this power."

Mr. Hansen: "You're right. I don't think it's our intent to try to second-guess the Governor. He has led us to believe that he would sign several bills that he has vetoed and he has signed bills that he said he would veto. At this time I think that this is the context of the bill and all we can do is send it down to him and find out."

Mr. Douthwaite spoke against passage of the bill, and Representatives Berentson and Charnley spoke in favor of it.

#### POINT OF INQUIRY

Mr. Hansen yielded to question by Mr. Leckenby.

Mr. Leckenby: "You explained, and I understand from reading the bill, that the Governor would select three names, and submit them to the commission for the appointment of the director. What if the commission chooses not to select any of those three? Would the Governor then be obliged to select additional names?"

Mr. Hansen: "I believe this is right. I think this is the reason the Governor isn't going to veto this bill. When he has the prerogative of selecting the names to submit to the commission, I believe this is next best to having the authority to fire."

Mr. Leckenby: "Does the commission have to select one of the three names that the Governor submits, or can they insist on additional submissions?"

Mr. Hansen: "I believe they can insist on additional. The Governor will keep selecting until they find the right one for the commission."

Representatives Savage and Conner spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 164 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 60; nays, 26; not voting, 12.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Becker, Berentson, Ceccarelli, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Jastad, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Paris, Parker, Patterson, Peterson, Polk, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bausch, Bender, Blair, Boldt, Bond, Brown, Chandler, Charette, Curtis, Douthwaite, Eng, Flanagan, Freeman, Hayner, Hendricks, Kilbury, Leckenby, Matthews, Moon, Pardini, Schumaker, Tilly, Warnke, Williams, Wojahn.

Not voting: Representatives Adams, Fortson, Hurley M., Juelling, Kalich, Kuehnl, May, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Substitute House Bill No. 164 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

June 2, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 427 with the following amendment:

On page 1, beginning on line 6 strike everything after the enacting clause and insert the following:

"NEW SECTION, Section 1. The budget of the Washington state highway commission is hereby adopted and, subject to the provisions hereinafter set forth, the several amounts hereinafter specified, or so much thereof as shall be necessary to accomplish the purposes designated, are hereby appropriated from the motor vehicle fund to the state highway commission and are authorized to be disbursed for salaries, wages, and other state highway commission expenses for obligations incurred and not paid as of July 1, 1975, for capital projects and for other specified purposes for the biennium ending June 30, 1977:

## PROGRAM C, CONSTRUCTION

For the location, design, right of way, and construction of state highways, including state highways in urban areas in accordance with RCW 47.26.040 through 47.26.070, and for improvement and construction of buildings, other highway plant structures and ferry and toll facilities, and for associated supervision and direct support.....\$363,480,330 consisting of \$129,000,000 from state funds, \$233,380,330 from federal funds, and \$1,100,000 from local funds; and a reappropriation of \$12,000,000 from state funds (but said reappropriation shall not exceed the unexpended balance of the appropriation to the highway commission contained in section 1, chapter 222, Laws of 1973 1st ex. sess.): PROVIDED, That the appropriation contained in this section for Program C, "Construction" shall include the proceeds of bonds authorized by RCW 47.26.400 through 47.26.407 remaining unsold on July 1, 1975, but not to exceed \$35,000,000: PROVIDED, That the state highway commission may transfer any funds authorized within this appropriation to Program M, Physical Maintenance and Operations, for expenditure: PROVIDED FURTHER, That the state highway commission through the biennium ending June 30, 1977, is directed to exercise its authority under the priority programming law and may digress therefrom with discretion and flexibility to utilize effectively state and federal funds available for highway purposes: PROVIDED FURTHER, That no funds appropriated in this section shall be expended for construction of Project No. 61127A on state route 276 as shown in the document published by the Washington state highway commission entitled "Highway Construction Projects in the 1975-1977 Biennium by Legislative District" dated February 1, 1975, until completion of a further review of the highway transportation requirements in the Pullman area by the highway commission.

## PROGRAM M, PHYSICAL MAINTENANCE AND OPERATIONS

For Program M maintenance and operations of state highways, maintenance and operation of highway plant, and associated supervision and direct support ..... \$97,084,502 consisting of \$95,466,476 from state funds and \$1,618,026 from local funds: PROVIDED, That the state highway commission may transfer any funds authorized within this appropriation to Program C, Construction, for expenditure.

## PROGRAM P, GENERAL SUPERVISION, PLANNING AND RESEARCH

For the operations of the Washington state highway commission, department of highways, including programs for executive management and general support, highway planning surveys and research by the Washington state highway commission and for research and studies approved by the Washington state highway commission and the legislative transportation committee or the standing transportation and utilities committees of the senate and house. Also, for any necessary increase in stores; for necessary pit and stockpile sites and write-off of obsolete pits and stockpiles ..... \$25,859,886 consisting of \$20,430,907 from state funds and \$5,428,979 from federal funds: PROVIDED, That the state highway commission may transfer any funds authorized within this appropriation to Program C, Construction, or Program M, Maintenance and Operations, for expenditure: PROVIDED FURTHER, That the highway commission may

expend state collected revenues appropriated under Program P, General Supervision, Planning and Research for special studies conducted by the Puget Sound Council of Governments at the request of the highway commission, but shall not expend any state collected funds appropriated by this act to pay for any portion of the regular annual work program of the Puget Sound Council of Governments for the biennium ending June 30, 1977.

The legislature finds that the highway commission has made significant management improvements to date in the development and utilization of work standards and similar criteria for determining both operational and support personnel requirements in all programs. It is the intent of the legislature that the highway commission devote special attention to the continued evolution and refinement of such criteria during execution of the 1975-77 biennium budget; and to prepare the 1977-79 biennium budget request based on such refined criteria.

**NEW SECTION.** Sec. 2. The budget for the urban arterial board is hereby adopted and there is hereby appropriated from the urban arterial trust account in the motor vehicle fund to the urban arterial board for the biennium ending June 30, 1977, ..... \$43,101,804 or so much thereof as may be necessary for implementing and administering the program of financial assistance to cities and counties in urban areas for urban arterial highways, roads and streets: **PROVIDED,** That said appropriation shall include \$20,000,000 from the proceeds from the sale of first authorization bonds provided for by RCW 47.26.420 through 47.26.427 and shall further include \$5,000,000 from the proceeds from the sale of series II bonds as provided for by RCW 47.26.420 through 47.26.427: **PROVIDED FURTHER,** That in event proceeds of motor vehicle fuel tax revenue distributed in accordance with RCW 82.36.020 are insufficient to meet debt service requirements on bonds sold in accordance with RCW 47.26.420, funds for such debt service deficits shall be provided in accordance with RCW 47.26.425 and 47.26.426: **PROVIDED FURTHER,** That during the 1975-77 biennium, the urban arterial board shall not authorize any additional projects which in the board's judgment cannot be placed under contract for construction within eighteen months of authorization.

**NEW SECTION.** Sec. 3. There is hereby appropriated to the Washington toll bridge authority for the biennium ending June 30, 1977, from the Puget Sound reserve account in the motor vehicle fund ..... \$4,031,801 or so much thereof as may be necessary to carry out the provisions of RCW 47.60.420, and from the Puget Sound capital construction account in the motor vehicle fund ...\$12,122,737 or so much thereof as may be necessary to design and construct new, or modify existing ferry vessels and terminals, and to plan and improve transportation facilities for the crossing of Puget Sound and any of its tributary waters, and from the Puget Sound ferry operations account in the motor vehicle fund ...\$11,155,989 or so much thereof as may be necessary for the operation and maintenance of the ferry system to supplement tolls: **PROVIDED,** That if SSB 2159 is not enacted into law during the 1975 1st extraordinary session and signed by the governor the appropriation from the Puget Sound ferry operations account shall be \$3,352,829, or so much thereof as may be necessary, for operation and maintenance of the ferry system to supplement tolls, and from the motor vehicle fund ...\$7,803,160 or so much thereof as may be necessary to supplement the appropriation from the Puget Sound ferry operations account contained in this section: **PROVIDED FURTHER,** That if chapter ... (SSB 2159), Laws of 1975 1st ex. sess. is enacted into law during the 1975 1st extraordinary session and signed by the governor no funds appropriated in this section from the motor vehicle fund to supplement the appropriation from the Puget Sound ferry operations account shall be available for expenditure: **PROVIDED FURTHER,** That the Washington state toll bridge authority shall provide year-round ferry service on the Port Townsend-Keystone route from funds appropriated in this section for the operation and maintenance of the ferry system to supplement ferry tolls.

**NEW SECTION.** Sec. 4. There is hereby appropriated from the general fund to the Washington state highway commission for the biennium ending June 30, 1977, ..... \$422,000 for supportive services to off-the-job training programs for minority highway construction workers and for minority contractors' training programs: **PROVIDED,** That this appropriation or so much thereof as shall be necessary shall be expended on or before June 30, 1977, and shall be fully reimbursable from federal funds authorized by P. L. 91-6.5, Title 1.

**NEW SECTION.** Sec. 5. There is hereby reappropriated from the motor vehicle fund to the Washington state highway commission ..... \$83,000 or so much thereof as may be necessary for the purpose of purchasing compensable ownership, if any, in the existing terminal facilities of Olympic Ferries, Inc. and such other assets as the Washington toll bridge authority and state highway commission deem necessary to carry out the provisions of chapter 44, Laws of 1972 ex. sess.

**NEW SECTION.** Sec. 6. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1977, the sum of \$77,000 or so much thereof as may be necessary to continue the agreement, in accordance with the provisions of RCW 47.56.720, between Wahkiakum county and the state highway commission for the operation and maintenance of the Puget Island ferry.

**NEW SECTION.** Sec. 7. (1) Notwithstanding the provisions of RCW 43.79.260 through RCW 43.79.280, if federal funds in excess of the \$238,809,309 contained in the appropriations to the state highway commission are received by the state of Washington for highway purposes, and the federal notification thereof is in excess of one million dollars in biennial expenditures, the highway commission shall determine, after consultation with the standing committees on transportation and utilities of the house and senate, the extent to which the receipt of such federal funds will impact on total biennium appropriations and budgeted expenditures of state revenues in the motor vehicle fund.

(2) The highway commission shall submit to the governor, as appropriate, either a statement requesting an increase in the biennium appropriations and an allotment amendment to authorize expenditures of such funds in addition to appropriations provided by law, or a statement requesting an allotment amendment to authorize the expenditure of such funds in lieu of state revenues in the motor vehicle fund within the total appropriation provided by law. A copy of the request shall be submitted to the standing committees on transportation and utilities of the house and senate. If the governor approves the highway commission request, he shall transmit one approved copy to the highway commission and identical copies to the standing committees on transportation and utilities of the house and senate.

**NEW SECTION.** Sec. 8. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 9. This 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."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Conner, the House concurred in the Senate amendment to Substitute House Bill No. 427.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 427 as amended by the Senate.

Mr. Leckenby spoke against passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 427 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 54; nays, 30; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Bausch, Becker, Bender, Berentson, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Dunlap, Ehlers, Erickson, Fischer, Gaines, Gallagher, Gaspard, Gilleland, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Luders, Martinis, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Patterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpooh, Smith E. P., Smith R., Sommers, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Bond, Brown, Chandler, Cochrane, Deccio, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Greengo, Hawkins, Hendricks, Leckenby, Lee, Lysen, Matthews, Maxie, Moon, Pardini, Paris, Parker, Peterson, Tilly, Valle, Warnke, Whiteside, Williams.

Not voting: Representatives Adams, Bauer, Curtis, Fortson, Hurley M., Juelling, Kalich, Kuehnl, May, Nelson, Perry, Randall, Thompson, Wilson.

Substitute House Bill No. 427 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### STATEMENT FOR THE JOURNAL

I wish to change my vote to "Aye" on Substitute House Bill No. 427 as amended by the Senate.

ALEX DECCIO, 15th District.

### SENATE AMENDMENTS TO HOUSE BILL

June 7, 1975

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 860** with the following amendments:

On page 1, line 26 after "the committee" and before "may" strike the comma

On page 5, line 15 after "employees" and before the comma insert "of the legislative transportation committee"

On page 3, line 2 after "regulation of" and before "log" insert "common and contract carriers,"

On page 4, line 2 after "from" and before "to" strike "Kiena" and insert "Kiona"

On page 5, line 15 after "stops" and before "on" insert "and their management"

On page 6, following line 26 add a new subsection to read as follows:

"(28) A review of policies relative to providing reasonably safe bicycle traveling facilities adjacent to or in conjunction with public highways, in general, and on bridges and structure, in particular."

On page 6, line 29 after "The" strike "legislative transportation committee" and insert "senate and house transportation and utilities committees"

On page 7, line 21 after "The" strike "legislative transportation committee" and insert "senate and house transportation and utilities committees"

On page 8, line 14 strike "fro" and insert "for" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Conner, the House concurred in the Senate amendments to Substitute House Bill No. 860.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 860 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 860 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 64; nays, 21; not voting, 13.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Martinis, Matthews, McCormick, McKibbin, Moreau, North, O'Brien, Pardini, Parker, Patterson, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Brown, Chandler, Curtis, Deccio, Douthwaite, Eng, Flanagan, Haley, Hawkins, Hayner, Lysen, Maxie, Moon, Newhouse, Paris, Schumaker, Tilly, Whiteside, Williams.

Not voting: Representatives Adams, Fortson, Hurley M., Jueling, Kalich, Kuehnl, May, Nelson, Perry, Polk, Randall, Thompson, Wilson.

Substitute House Bill No. 860 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Charette moved that the House immediately consider House Bill No. 1119 on second reading.

Mr. Charette spoke in favor of the motion, and Mr. Haley spoke against it.

The motion was carried.

HOUSE BILL NO. 1119, by Representatives Parker and Adams:

Coordinating and surveying the health care delivery system.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, Forty-third Day ex. sess., April 25, 1975.)

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended by Committee on Social and Health Services.

On motion of Mr. Shinpoch the committee amendments were adopted.

House Bill No. 1119 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 1119 be placed on final passage.

Mr. Matthews spoke against the motion, and Mr. Charette spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed House Bill No. 1119 to third reading and final passage, and the motion was carried by the following vote: Yeas, 58; nays, 27; not voting, 13.

Voting yea: Representatives Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Fischer, Freeman, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Luders, Martinis, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Peterson, Savage, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Berentson, Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Erickson, Flanagan, Gilleland, Greengo, Haley, Hansey, Hayner, Hendricks, Leckenby, Lee, Lysen, Matthews, Paris, Patterson, Polk, Schumaker, Tilly, Whiteside.

Not voting: Representatives Adams, Fortson, Hurley M., Juelling, Kalich, Kuehnle, Maxie, May, Nelson, Perry, Randall, Thompson, Wilson.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Engrossed House Bill No. 1119 on final passage.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Tilly.

Mr. Tilly: "Mr. Shinpoch, when we had this bill before us in the Social and Health Services Committee, before you received it in Appropriations, there was a lot of discussion regarding the fiscal impact. We had figures given to us that were really on a six-year impact. In your earlier discussion, you said that this was a one-time thing and I would like to have you go into that in more detail so that we can be assured that this is only a one-time appropriation, because I think most of the members of our committee understood that it was going to a six-year plan and on-going from that."

Mr. Shinpoch: "I can relate to you the understanding and the questions that were proposed in the committee. It was my understanding from testimony in the committee that this was the funding inbetween two federal programs. The previous program had been shut down and the next one is going to start in two years. They gave a planning period in between and the federal government did not fund the planning period. That is what we are being asked to fund. I made the comment to the individual testifying at the time that we wanted assurance that it was only for two years and that we would be very unhappy if we found it was for something other than that. We received assurance that it would not be. I did receive a letter later from the Director which assured that it would only be for a two-year period. While I was talking to you, Representative Bagnariol gave me a fiscal note dated May 21, 1975, that has a six-year impact of \$224,000 on it, which is what is on the bill."

Mr. Tilly spoke against passage of the bill.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Deccio.

Mr. Deccio: "I'm certainly not trying to put you on the spot, but I think you are the recipient of some false information if this is the same bill and if these are the same people who appeared twice before the Social and Health Services Committee when we heard the bill. The information we got was that the annual impact was \$265,000 a year, involved seven people, with a director at \$25,000 a year, an assistant director at \$20,000 a year and the rest spread over about seven people, and \$19,000 was for pensions and fringe benefits. Are we talking about the same thing?"

Mr. Shinpoch: "I have a fiscal note in my hand dated May 21, 1975, by a Mr. Lynch out of the Office of Community Development, which shows a two-year and a six-year fiscal impact of \$224,000. In the testimony in front of our committee, an individual from the regional medical program, the so-called clearing house, was there; the people from the University of Washington were there; the people from the Department of Social and Health Services were there. They all testified that this would not duplicate any of the efforts they were doing. That was the basis on which we accepted this. The fiscal note I have is only as good as the individual designing it."

Mr. Deccio: "This is my question: The bill was brought back the second time, the fiscal impact requirement was lowered from \$265,000 to around \$225,000 and was run at us again. Apparently it stuck. The way that many of us on the committee interpreted this appeal for this bill was that we could save some jobs for some people because the federal government failed to fund the thing. Again, I am only saying that I think you on Ways and Means have gotten some false information and, Mr. Speaker, I can only request that this bill be held over so that this fact can be investigated."

The Speaker (Mr. O'Brien presiding): "Representative Deccio, you should have made that motion first before you got involved in discussion on the merits of the bill. Your motion would be out of order right now."

Representatives Zimmerman and Becker spoke in favor of passage of the bill.

Mr. Conner demanded the previous question and the demand was not sustained.

Representatives Peterson and Conner spoke in favor of the bill, and Mr. Greengo spoke against it.

The Speaker (Mr. O'Brien presiding) called on Mr. Charette to preside.

Mr. Haussler spoke in favor of the bill, and Representatives Haley and Flanagan spoke against it.

Mr. Amen demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1119, and the bill passed the House by the following vote: Yeas, 60; nays, 22; not voting, 16.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Erickson, Fischer, Freeman, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Luders, Martinis, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Peterson, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Valle, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Eng, Flanagan, Gilleland, Greengo, Haley, Hansey, Hayner, Leckenby, Lee, Lysen, Matthews, Paris, Polk, Tilly, Whiteside, Williams.

Not voting: Representatives Adams, Berentson, Fortson, Hurley M., Juelling, Kalich, Kuehnlé, Maxie, May, Nelson, Patterson, Perry, Randall, Sommers, Thompson, Wilson.

Engrossed House Bill No. 1119, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Conner, all bills passed to this point in today's proceedings were ordered transmitted immediately to the Senate.

#### REPORT OF CONFERENCE COMMITTEE

June 6, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2280, pertaining to financing municipal transportation systems, have had the same under consideration, and we report that we are unable to agree and request the powers of Free Conference in order to amend the House Committee amendment.

Signed by Senators Walgren, Guess, Bottiger; Representatives Patterson, Smith (Edward), Conner.

#### MOTION

On motion of Mr. Hansen, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### SECOND READING

ENGROSSED SENATE BILL NO. 2663, by Senators North and McDermott:

Permitting conditional licensing of alien physicians for work in county or city health departments.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, Sixty-third Day ex. sess., May 15, 1975.)

On motion of Mr. Parker, the committee amendment was adopted.



On motion of Mr. Chatalas, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2663 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2663 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 1; not voting, 15.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Matthews.

Not voting: Representatives Adams, Eng, Fortson, Hansen, Hayner, Hurley M., Jueling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2663 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2863, by Senators Marsh, McDermott and Gould:

Compelling action by school boards to assure physical safety of pupils.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, Seventy-first Day ex. sess., May 23, 1975.)

On motion of Mr. Bauer, the committee amendment was adopted.

On motion of Mr. Chatalas, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2863 as amended by the House was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2863 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Fortson, Hansen, Hurley M., Jueling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2863 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 2469, by Committee on Financial Institutions (Originally sponsored by Senators Francis, Murray and Woody):

Revising law relating to handling of trusts by mutual savings banks.

The bill was read the second time.

Mr. Eikenberry moved adoption of the following amendment:

On page 2, section 1, line 36 after "trust business," strike all the new material through and including "mutual savings bank." on page 3, line 5 and insert the following "and that the mutual savings bank has segregated capital in addition to its guaranty fund, free and clear of the claims of its depositors, in an

amount not less than would be required by statute or regulation of a state bank or trust company, which capital shall be eligible for investment in the same manner as the guaranty fund of a mutual savings bank."

Representatives Eikenberry and Martinis spoke in favor of the amendment, and Representatives Pardini and Ceccarelli spoke against it.

Mr. Eikenberry closed debate, speaking again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eikenberry to Substitute Senate Bill No. 2469, and the amendment was not adopted by the following vote: Yeas, 27; nays, 51; not voting, 20.

Voting yea: Representatives Barnes, Berentson, Bond, Cochrane, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gilleland, Greengo, Haussler, Hawkins, Jastad, Lee, Lysen, Martinis, Matthews, McCormick, Newhouse, North, O'Brien, Polk, Smith R., Valle, Zimmerman.

Voting nay: Representatives Amen, Bagnariol, Bauer, Bausch, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Eng, Fischer, Gaines, Gallagher, Gaspard, Haley, Hanna, Hendricks, Hurley G. S., Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Maxie, McKibbin, Moon, Moreau, Pardini, Parker, Peterson, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Tilly, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Becker, Brown, Chandler, Fortson, Hansen, Hansey, Hayner, Hurley M., Jueling, Kalich, Kuehnle, May, Nelson, Perry, Patterson, Perry, Randall, Thompson, Wilson.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2469 was placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2469, and the bill passed the House by the following vote: Yeas, 66; nays, 16; not voting, 16.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Eng, Erickson, Fischer, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Maxie, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bausch, Bender, Boldt, Bond, Dunlap, Ehlers, Eikenberry, Flanagan, Hawkins, Lysen, Martinis, Matthews, McCormick, North, Zimmerman.

Not voting: Representatives Adams, Becker, Chandler, Fortson, Hansen, Hayner, Hurley M., Jueling, Kalich, Kuehnle, May, Nelson, Perry, Randall, Thompson, Wilson.

Substitute Senate Bill No. 2469, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Charette presiding) declared the House to be at ease.

The Speaker (Mr. Charette presiding) called the House to order.

#### MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2280, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2280, pertaining to financing of municipal transportation systems, have had the same under consideration, and we recommend that the House Committee amendment be amended to read as follows:

On page 6, line 31 of the House Committee amendment after "shall be" insert "one-tenth, two-tenths, or"

On page 11, line 18 of the House Committee amendment after "every" strike "county except any class AA county shall" and insert "class A, class 1, class 2, or class 3 county shall, and the legislative authority of every other county may"

On page 11 of the House Committee amendment beginning with "Further" on line 41 strike all of the material down through "cities" on line 45 and insert "In addition, county-wide conferences may be convened by resolution of the legislative bodies of two or more cities within the county"

On page 12, line 4 of the House committee amendment after "areas of" strike "the" and insert "a"

Signed by Senators Walgren, Guess, Bottiger; Representatives Patterson, Smith (Edward), Conner.

#### MOTION

Mr. Berentson moved that the House adopt the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 2280.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Smith (Edward).

Mr. Smith (Edward): "Is the Department of Revenue supportive of the one-tenths, two-tenths and three-tenths of a percent?"

Mr. Conner: "I have a letter from Mary Ellen McCaffree, the Director of the Department of Revenue, and would like to state that she is in support and is willing to work with us in any manner possible in order to make this work. There was some concern by members that do have varied rates in different areas as to the problem you would have as far as the Department of Revenue is concerned. Her letter says, 'Of particular concern is the possible compliance problem of retailers collecting the tax. The Department, in view of the legislature's recognition of the overriding importance of mass transportation financing needs, wishes to work with the legislature to study various alternatives that would minimize the collection problem. Such alternatives would be presented at a future session of the legislature.' She is most anxious to work with us and is supportive of that particular amendment."

The Free Conference Committee report was adopted.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Charette presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2280 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2280 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 70; nays, 10; not voting, 18.

Voting yea: Representatives Bagnariol, Barnes, Bausch, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochran, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Fischer, Fortson, Freeman, Gaines, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, McKibbin, Moreau, North, O'Brien, Pardini, Paris, Patterson, Peterson, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Bauer, Charette, Conner, Flanagan, Gallagher, Gaspard, Newhouse, Parker, and Mr. Speaker.

Not voting: Representatives Adams, Becker, Brown, Deccio, Erickson, Hurley M., Juelling, Kalich, Kuehne, May, Moon, Nelson, Perry, Polk, Randall, Thompson, Williams, Wilson.

Engrossed Substitute Senate Bill No. 2280 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien resumed the Chair.

#### MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has receded from its amendment to SUBSTITUTE HOUSE BILL NO. 378 on page 2, adding a new section 2, and adheres to its position on the amendment on page 2,

adding new section 3 and to the amendment to line 2 of the title, and insists that the House concur therewith, and said bill, together with the Senate amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

Ms. Sommers moved that the House do not concur in the Senate amendments to Substitute House Bill No. 378.

Mr. Moon moved that the House do concur in the Senate amendment to page 2, adding a new section 3 and to line 2 of the title.

Mr. Moon spoke in favor of the motion to concur, and Representatives Leckenby and Charnley spoke against it.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Gaspard.

Mr. Gaspard: "There has been quite a bit of discussion about the police powers that this bill will grant to the insurance commissioner. Can you explain those powers that this bill addresses itself to?"

Mr. Ehlers: "I am still concerned about this, as many people here are. The concern that some of us have is that a lot of agencies, as Representative Leckenby has indicated, have power. I believe it is the intent, according to a letter we have from the Insurance Commissioner, that those police powers not include the carrying of weapons; would not include the power to actually arrest people. This has been the concern that a number of people have and I believe that the legislative intent is that they not be given those kinds of police powers where they can carry weapons and that they are not permitted to actually arrest people. This is also restricted to just the area of arson. It is rather restrictive."

Mr. Moon again spoke in favor of the motion to concur, and Mr. Curtis spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to concur in the Senate amendments to Substitute House Bill No. 378, and the motion was lost by the following vote: Yeas, 26; nays, 52; not voting, 20.

Voting yea: Representatives Bagnariol, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Fischer, Gaines, Gallagher, Gaspard, Hanna, Haussler, Jastad, King, Lysen, McCormick, Moon, O'Brien, Parker, Savage, Seeberger, Shipoch, Smith E. P., Wojahn.

Voting nay: Representatives Amen, Barnes, Bauer, Bausch, Berentson, Blair, Boldt, Bond, Chandler, Charnley, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hawkins, Hayner, Hendricks, Hurley G. S., Kilbury, Laughlin, Leckenby, Lee, Matthews, Maxie, McKibbin, Moreau, Newhouse, North, Pardini, Patterson, Peterson, Polk, Schumaker, Sherman, Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Becker, Brown, Fortson, Hansen, Hurley M., Jueling, Kalich, Knowles, Kuehnle, Luders, Martinis, May, Nelson, Paris, Perry, Randall, Thompson, Wilson, and Mr. Speaker.

#### MOTION

On motion of Mr. Moon, the House again refused to concur in the Senate amendments to Substitute House Bill No. 378, and asked the Senate for a conference thereon.

#### MOTION

On motion of Mr. Charette, all bills passed to this point in the proceedings were ordered transmitted immediately to the Senate.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) announced the appointment of Representatives Moon, Haussler and Curtis as conferees on Substitute House Bill No. 378.

#### SENATE AMENDMENT TO HOUSE BILL

June 7, 1975

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 695 with the following amendment:

On line 22 after "period," and before "service" strike "followed by" and insert "and" and on line 22 after "complaint" and before "upon" insert "shall be made" and on line 24 after "publication," and before "ninety days" strike "within" and insert "not later than" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Smith (Rick), the House concurred in the Senate amendment to House Bill No. 695.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 695 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 695 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 0; not voting, 19.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman.

Not voting: Representatives Adams, Becker, Bond, Brown, Fortson, Hansen, Hurley G. S., Hurley M., Juelling, Kalich, Kuehne, Martinis, May, Nelson, Perry, Randall, Thompson, Wilson, and Mr. Speaker.

House Bill No. 695 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 774, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 6, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 774, regulating and licensing massage businesses, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference to propose amendments to the Senate committee amendment.

Signed by Senators Scott, Day, Wilson; Representatives Parker, O'Brien, Dunlap.

#### MOTION

On motion of Mr. Parker, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 6, 1975

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 867, and asks the House for a conference thereon, and the President has appointed as members of said conference committee: Senators Wilson, Benitz, Jolly,

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Kilbury, the House granted the request of the Senate for a conference on Substitute House Bill No. 867.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) appointed as members of the Conference Committee on Substitute House Bill No. 867, Representatives Kilbury, Boldt and Amen.

## REPORT OF CONFERENCE COMMITTEE

June 6, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2840, have had the same under consideration, and we recommend that the House do recede from its amendments.

Signed by Senators Francis, Walgren, Pullen; Representatives Smith (Rick), Seeberger, Deccio.

## MOTION

On motion of Mr. Seeberger, the House adopted the report of the Conference Committee on Engrossed Senate Bill No. 2840.

FINAL PASSAGE OF SENATE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2840 as recommended by the Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2840 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 74; nays, 0; not voting, 24.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Fischer, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Paris, Parker, Patterson, Peterson, Savage, Schumaker, Seeberger, Sherman, Shimpoch, Smith E. P., Smith R., Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Becker, Berentson, Brown, Erickson, Fortson, Gaines, Hansen, Hurley M., Jueling, Kalich, Kuehnle, Lysen, Martinis, May, Nelson, Newhouse, Pardini, Perry, Polk, Randall, Sommers, Thompson, Wilson.

Engrossed Senate Bill No. 2840 as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. Pardini moved that the Rules Committee be relieved of House Bill No. 611, and that the bill be placed on today's second reading calendar.

The motion was lost.

SENATE BILL NO. 2633, by Senators Woody and Stortini:

Directing state board of education to authorize high school credits for persons accepted into the national guard high school career training.

The bill was read the second time.

On motion of Mr. Parker, the following amendment was adopted:

On page 1, line 13 after "program" strike all remaining language down to the final period.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2633 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2633 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 5; not voting, 16.

Voting yea: Representatives Amen, Bagnariol, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Matthews, Maxie, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Cochrane, Douthwaite, Hawkins, Peterson.

Not voting: Representatives Adams, Becker, Brown, Fortson, Hansen, Hurley M., Jueling, Kalich, Kuehnle, Martinis, May, Nelson, Perry, Randall, Thompson, Wilson.

Senate Bill No. 2633 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

ENGROSSED SENATE BILL NO. 2265, by Senators Woody, Walgren and Bluechel:

Revising regulations of alien banks.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2265 was placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2265, and the bill passed the House by the following vote: Yeas, 69; nays, 11; not voting, 18.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hayner, Hendricks, Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Matthews, Maxie, McCormick, McKibbin, Moreau, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Cochrane, Douthwaite, Gaines, Hawkins, Hurley G. S., Lysen, North, Savage, Valle, Williams.

Not voting: Representatives Adams, Becker, Brown, Fortson, Hansen, Hurley M., Jueling, Kalich, Kuehnle, Luders, Martinis, May, Moon, Nelson, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2265, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2670, by Senator Rasmussen:

Revising liquor license requirements for common carriers.

The bill was read the second time.

The Clerk read the following amendment by Representatives Tilly, Conner and Bond:

On page 4, after "the community" on line 1 insert a new subsection as follows:

"(6) Notwithstanding any provision or provisions of this act, it shall be unlawful to sell any intoxicating liquors, with or without a license, on the grounds of any college, university, or community college supported in whole or in part by state funds, except to the extent liquor may be served but not sold under banquet permits issued pursuant to RCW 66.24.490."

## POINT OF ORDER

Mr. Douthwaite: "I question the scope and object of this amendment. I think House Rule 33 is violated."

## SPEAKER'S RULING

The Speaker: "Representative Douthwaite, I think your point of order is well taken. The present bill deals with the liquor regulations in regard to common carriers and the amendment is taking the scope into the prevention of sales in other areas, and I think the bill is very narrow in its application."

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite, Wojahn, Valle, Erickson and North:

On page 4, line 31 following "service" insert ": PROVIDED FURTHER, That the licensee shall make available at some place of prominence within the vehicle, educational materials on the abuses of alcohol in particular and the illnesses consequent therefrom in general: PROVIDED HOWEVER, That such materials shall be obtained from public or private organizations at no cost to the state"

## POINT OF ORDER

Mr. Bond: "I think this amendment is beyond the scope and object."

## SPEAKER'S RULING

The Speaker: "Representative Bond, I feel that your point of order is not well taken. The present bill is talking about the service of alcoholic beverages. This places a limitation that if in the event they want to sell this they have to do this. It is identified with the vehicles involved, so I think it is a proper limitation on the allowance of the matter."

Representatives Douthwaite and Wojahn spoke in favor of the amendment, and Representatives Newhouse, Berentson, Sommers and Peterson spoke against it.

The amendment was not adopted.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2670 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2670, and the bill passed the House by the following vote: Yeas, 62; nays, 15; not voting, 21.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Matthews, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Patterson, Peterson, Polk, Savage, Seeberger, Shinpoch, Smith E. P., Sommers, Warnke, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Cochrane, Douthwaite, Ehlers, Eng, Erickson, Hawkins, Lee, Maxie, Paris, Sherman, Tilly, Valle, Williams, Wojahn.

Not voting: Representatives Adams, Becker, Brown, Fortson, Gilleland, Hansen, Hurley M., Jueling, Kalich, Kuehnl, Martinis, May, Nelson, North, Parker, Pery, Randall, Schumaker, Smith R., Thompson, Wilson.

Engrossed Senate Bill No. 2670, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2944, by Senator Mardesich:

Permitting investment of public funds in the Asian development bank.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Senate Bill No. 2944 was placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the bill, and Representatives Valle and Hurley (George) spoke against it.

## POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Ms. Cochrane.

Ms. Cochrane: "There have been several denials that anybody asked for this. Whose bill was this?"

Mr. Ceccarelli: "The prime sponsor of the bill is Senator Mardesich."



Ms. Cochrane: "Yes, I was aware of that, but I was wondering if the Finance Committee or anyone else interested in the investments asked for this?"

Mr. Ceccarelli: "No one spoke in opposition to the bill when it was before our committee."

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. McKibbin.

Mr. McKibbin: "Could you tell me, are we allowing the Finance Committee to invest in any type of foreign bonds or securities? Is this setting a precedent or is this a common practice?"

Mr. Ceccarelli: "No, the State Finance Committee has broad powers now in investing the state's money where they feel it will get the greatest return. I think the problem with this bill is the word 'Asian' in it, and everybody is thinking we are going to pump the money down the drain or send it over to Viet Nam or something is going to happen like what happened during the depression. The Asian bank, as I said earlier, was developed, and its members are of thirty-seven countries, including the United States, Germany, France, Canada, Italy, and so on. It's a very secure bank and their notes and bonds yield up to 7.75% interest. This is a yield you can't get anywhere else. There is just no way that this bank is going to be defunct because it's got the support of all these thirty-seven countries and there are some forty-six states now that invest in commercial accounts, debentures and notes and bonds from this bank. I think your fears are unfounded. You are really talking about something else than what we are trying to do in this bill."

Mr. McKibbin: "I failed to get the answer to my question, and I didn't convey any fears to you. The question is: Do we have a precedent for this type of investment previous to this? And if so, what are they?"

Mr. Ceccarelli: "I'm going to yield to Representative Pardini. We do it now in Canada, etc., but I think Representative Pardini will answer your questions more clearly."

Mr. Pardini: "I think on page 1, subsection (2), starting on line 19, which is existing language within the law, we make it possible for the State Finance Committee to invest in, 'Bonds, debentures, notes or other obligations issued, assumed, or unconditionally guaranteed by the international bank for reconstruction and development, the inter-American development bank, . . . ' and we are now adding the Asian development bank in the new language, so that there are three similar banks such as this whose prime purpose is by treaty with other countries. The Asian development bank is backed by the United States; it's a quasi-federal agency. The bonds of that bank are not fully guaranteed, but they are supported by an international treaty of some thirty-seven countries, the prime purpose of which is to provide capital, and, in this particular instance, my understanding is for Asian countries to develop irrigation, roads and this type of thing and even to teach those people how to increase their production of food. So it's a very legitimate type thing and we do have a precedent for it. The other thing that I would like to point out is an item that kind of slid by—mainly that these bonds have a AAA rating from Standard & Poor, which is the major rate bond rating organization in the United States. You just can't get any higher than a AAA rating, unless you have a direct federal obligation. That AAA rating is probably higher than the bonds of the state of Washington, so that it is a good bond and it is guaranteed. Representative Cochrane, I would point out to you, if you wonder where the bill came from, I don't know where it came from this time, but I have sponsored this bill in previous sessions and it has passed this House and for some reason it hasn't gone all the way. The request was made of me the time I sponsored it by Mr. Ned Lang, who is the legal counsel for the Washington Bankers' Association."

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2944, and the bill passed the House by the following vote: Yeas, 51; nays, 28; not voting, 19.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Blair, Bond, Ceccarelli, Chandler, Chatalas, Conner, Curtis, Deccio, Dunlap, Eikenberry, Eng, Erickson, Fischer, Freeman, Gallagher, Gaspard, Greengo, Haley, Hanna, Hansey, Haussler, Hayner, Hendricks, Jastad, Kilbury, Knowles, Laughlin, Leckenby, Luders, Matthews, Maxie, McCormick, McKibbin, Moreau, Newhouse, O'Brien, Pardini, Paris, Patterson, Peterson, Polk, Smith R., Sommers, Tilly, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Bender, Boldt, Charette, Charnley, Clemente, Cochrane, Douthwaite, Ehlers, Flanagan, Gaines, Hawkins, Hurley G. S., Lee, Lysen, Moon, North, Parker, Savage, Seeberger, Sherman, Shimpoch, Smith E. P., Valle, Warnke, Williams, Wojahn.

Not voting: Representatives Adams, Becker, Brown, Fortson, Gilleland, Hansen, Hurley M., Juelling, Kalich, King, Kuehnle, Martinis, May, Nelson, Perry, Randall, Schumaker, Thompson, Wilson.

Senate Bill No. 2944, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the Conference Committee Report on ENGROSSED SUBSTITUTE HOUSE BILL NO. 866, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 866, adopting a budget for state agencies, have had the same under consideration, and we report that we are unable to agree, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Donohue, Newschwander, Odegaard; Representatives Bagnariol, Shimpoch, Polk.

#### MOTION

On motion of Mr. Shimpoch, the report of the Conference Committee on Engrossed Substitute House Bill No. 866 was adopted, and the committee was granted the powers of Free Conference.

#### MOTION

On motion of Mr. Charette, the House adjourned until 1:00 p.m., Sunday, June 8, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-SEVENTH DAY

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### MORNING SESSION

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House Chamber, Olympia, Wash., Sunday, June 8, 1975.

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Chatalas, Hurley (Margaret), Juelling, Kalich, Kuehnle, Paris, Perry, Randall, Thompson and Wilson. Representatives Adams, Hurley (Margaret), Juelling, Kalich, Kuehnle, Paris, Perry, Randall, Thompson and Wilson were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kellie Varney and Ken Donohue. Prayer was offered by Reverend Charles M. Loyer of the Westminster United Presbyterian Church of Olympia:

"Eternal God and Father, Who dost reward with success the patience and the persistence of Your children, we thank You that at long last we are winding up the whole matter: the aches and pains of the body politic have been diagnosed, treatment has been prescribed, and arrangements for installment payments made.

"Our Father, give grace to us, the patient, who by our perennial complaints of real or imaginary symptoms have brought together and prolonged this consultation of specialists, and help us now to take our medicine with a minimum of grumbling.

"We thank You for the acumen, the hard work, and the persistence of these political doctors. Bless them in a very special way as they plan their return to the more remunerative and less harrowing work of private practice. Amen."

On motion of Mr. Newhouse, the prayer was ordered entered into the journal of the day.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2090, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

June 7, 1975

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 378, and the President has appointed as members of said conference committee: Senators Rasmussen, Clarke, Marsh.

Bill Gleason, Assistant Secretary.

June 7, 1975

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 174,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 435,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2623, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2280, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2280,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Conner, the House advanced to the sixth order of business.

## SECOND READING

ENGROSSED SENATE BILL NO. 2226, by Senators Francis, Woody and Clarke:

Requiring state to pay costs and fees of indigent appeals.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Fifty-sixth Day ex. sess., May 8, 1975.)

On motion of Mr. Smith (Rick), the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2226 as amended by the House was placed on final passage.

Mr. Smith (Rick) spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Smith (Rick) yielded to question by Mr. Eikenberry.

Mr. Eikenberry: "A superior court judge, in determining whether or not an individual is entitled to this kind of assistance, either for attorney's fees or because of a transcript or other costs, has a certain degree of latitude in determining if the individual is in fact indigent or if the cost being asked for is actually necessary. As I understand it at present these costs, which are granted and authorized by the court, do go through the county commissioner, or the legislative body of a council, for final payment; is that true?"

Mr. Smith (Rick): "That is the situation in superior court, but this bill only deals with the appellate court and the fees are determined by the clerk. I believe the clerk of the Supreme Court approves the fees, or the Supreme Court does, for both the court of appeals and the Supreme Court."

Mr. Eikenberry: "Then the point of my question is, is there any reviewing body or any agency that will be screening the level of expenses that are being authorized by this administrative personnel?"

Mr. Smith (Rick): "Yes, the House and Senate Ways and Means Committees will know what the costs are and they do now and they appropriate funds for it. They will exercise any oversight necessary at that time."

## POINT OF INQUIRY

Mr. Smith (Rick) yielded to question by Mr. Pardini.

Mr. Pardini: "Page 2 of the bill says that upon satisfaction of requirements established by the Supreme Court rules, etc., payment shall be made by funds specifically appropriated by the legislature for that purpose. Within the budget document, does the Free Conference Committee Report that was given to us yesterday, is there a specific appropriation for this payment?"

Mr. Smith (Rick): "I haven't looked in the Free Conference Report, but there was in the House-passed version of the budget. There always has been every year so I can only assume that the conferees left it in."

Mr. Pardini: "And if they did not leave it in or if the amount is not adequate, would that preclude one of these indigents from getting the transcript?"

Mr. Smith (Rick): "No, it is my understanding that the court would have to forego some other expenditure and use their funds. We would no doubt have to address it as a supplemental budget."

## POINT OF INQUIRY

Mr. Smith (Rick) yielded to question by Mr. Amen.

Mr. Amen: "You said this only applies to appellate courts, how has this been paid prior to this? Is this a new program?"

Mr. Smith (Rick): "No, this is not a new program. Representative Eikenberry is in error when he said this is passed on to costs of local government. It doesn't have anything to do with local government. It's the appellate court; we have done this in the past. Moneys have always been appropriated to allow for this. The impact of this bill is only \$14,000. It has always been in the budget before and I'm sure it's in the budget now. I'm sure it's in the Conference Committee Report."

Mr. Amen: "Then it has been paid by the state prior to this?"

Mr. Smith (Rick): "Yes."

## POINT OF INQUIRY

Mr. Smith (Rick) yielded to question by Mr. Polk.

Mr. Polk: "In the Free Conference Committee Report on Substitute House Bill No. 866, which you have on your desk, on page 2, lines 12, 13, 14—is that the money appropriated to pay for this program? It's \$389,000."

Mr. Smith (Rick): "Yes, I'm saying that over and above the program that we have now in current laws, there will be an additional \$14,000 expenditure."

Mr. Polk: "Is that part of this, or is that over and above this figure?"

Mr. Smith (Rick): "I can't answer that."

Mr. Smith (Rick) closed debate, speaking again in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2226 as amended by the House, and the bill passed the House by the following vote: Yeas, 71; nays, 11; not voting, 16.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Cochrane, Conner, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bond, Curtis, Deccio, Dunlap, Freeman, Gilleland, Hayner, Matthews, Schumaker, Zimmerman.

Not voting: Representatives Adams, Becker, Charette, Haley, Hurley M., Jueling, Kalich, Kuehnle, Lee, Martinis, Nelson, Paris, Pery, Randall, Thompson, Wilson.

Engrossed Substitute Senate Bill No. 2226 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2403, by Senators Jones, Francis and Wanamaker:

Providing arrest procedures for specified traffic offenses.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, Sixty-third Day ex. sess., May 15, 1975.)

On motion of Mr. Seeberger, the committee amendments were adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2403 as amended by the House be placed on final passage.

Mr. Knowles spoke in favor of the motion, and Mr. Smith (Rick) spoke against it.

#### ·ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Senate Bill No. 2403 as amended by the House to third reading and final passage, and the motion was carried by the following vote: Yeas, 63; nays, 20; not voting, 15.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Newhouse, O'Brien, Pardini, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Shinpoch, Sommers, Tilly, Valle, Whiteside, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Boldt, Charnley, Cochrane, Douthwaite, Ehlers, Eng, Fischer, Hanna, Hawkins, Hurley G. S., Maxie, North, Parker, Sherman, Smith E. P., Smith R., Warnke, Williams, Wojahn.

Not voting: Representatives Adams, Becker, Charette, Chatalas, Hurley M., Jueling, Kalich, Kuehnle, Lee, Nelson, Paris, Perry, Randall, Thompson, Wilson.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Engrossed Senate Bill No. 2403 as amended by the House on final passage.

Representatives Seeberger, Eikenberry, Hansey and Savage spoke in favor of the bill, and Representative Hurley (George) spoke against it.

Mr. Conner demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2403 as amended by the House, and the bill passed the House by the following vote: Yeas, 70; nays, 12; not voting, 16.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bender, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith R., Sommers, Tilly, Valle, Whiteside, Wojahn, Zimmerman.

Voting nay: Representatives Bausch, Cochrane, Douthwaite, Ehlers, Fischer, Hawkins, Hurley G. S., Maxie, Smith E. P., Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Adams, Becker, Boldt, Charette, Charnley, Hurley M., Jueling, Kalich, Kuehnle, Lee, Nelson, Paris, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2403 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

HOUSE BILL NO. 12,  
SUBSTITUTE HOUSE BILL NO. 427,  
HOUSE BILL NO. 436,

SUBSTITUTE HOUSE BILL NO. 818,  
SECOND SUBSTITUTE HOUSE BILL NO. 1007,  
SUBSTITUTE SENATE BILL NO. 2280.

MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2840.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Eikenberry, Engrossed Substitute Senate Bill No. 2226 and Engrossed Senate Bill No. 2403 were ordered transmitted immediately to the Senate.

REPORT OF FREE CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 127, establishing constitutionally a citizens' commission to set salaries of public officials, have had the same under consideration, and we recommend that the bill be amended as follows:

On page 1, line 42 of the House amendment by Representatives Sommers and Newhouse, beginning with "Persons" strike everything down to and including "law." on page 2, line 5, and insert "The balance of the membership shall be appointed as provided by law. All persons selected by lot or appointed shall possess the qualifications required by law of jurors. All persons chosen shall be confirmed by a superior court judge designated by the chief justice of the supreme court who shall examine each person for interest, prejudice, and competency. Persons who by reasons of prejudice, interest, or incompetency are found to be incapable of discharging their duties as members of the commission shall be disqualified and shall be replaced by persons chosen in the same manner in which the disqualified person was originally chosen."

Signed by Senators Sellar, Grant, Francis; Representatives Sommers, Conner, Newhouse.

MOTION

On motion of Ms. Sommers, the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Joint Resolution No. 127.

FINAL PASSAGE OF SENATE JOINT RESOLUTION  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Joint Resolution No. 127 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 127 as amended by the Free Conference Committee, and the resolution failed to pass the House by the following vote: Yeas, 63; nays, 22; not voting, 13.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Bender, Berentson, Boldt, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Bond, Chandler, Charette, Dunlap, Eikenberry, Freeman, Gilleland, Grengo, Hansey, Hayner, Hendricks, Leckenby, Matthews, Patterson, Peterson, Tilly, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Becker, Hurley M., Juelling, Kalich, Kuehnle, Lee, Nelson, Paris, Perry, Randall, Thompson, Wilson.

Engrossed Substitute Senate Joint Resolution No. 127 as amended by the Free Conference Committee, having failed to receive the constitutional two-thirds majority, was declared lost.

## MOTION FOR RECONSIDERATION

Mr. Hansey, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed Substitute Senate Joint Resolution No. 127 as amended by the Free Conference Committee failed to pass the House.

The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of final passage of Engrossed Substitute Senate Joint Resolution No. 127 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute Senate Joint Resolution No. 127 as amended by the Free Conference Committee, and the resolution passed the House by the following vote: Yeas, 67; nays, 17; not voting, 14.

Voting yea: Representatives Amen, Bagnariol, Bauer, Bausch, Bender, Berentson, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Warnke, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Bond, Dunlap, Eikenberry, Freeman, Gilleland, Greengo, Hayner, Hendricks, Leckenby, Matthews, Peterson, Tilly, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Becker, Chatalas, Hurley M., Juelling, Kalich, Kuehnle, Nelson, Paris, Perry, Randall, Thompson, Wilson, Wojahn.

Engrossed Substitute Senate Joint Resolution No. 127 as amended by the Free Conference Committee, having received the constitutional two-thirds majority, was declared passed.

The Speaker assumed the Chair.

## MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 49, and has passed the bill as amended by the Conference Committee, and said bill, together with the Conference Report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 49, making changes in the law relating to civil commitment and suicide, have had the same under consideration, and we recommend that the following Senate amendments be not adopted:

On page 2, line 1 of the engrossed bill, being page 2, line 1 of the printed bill.

On page 1, line 10 of the title.

And that the following Senate amendment be adopted:

On page 13, line 5 of the engrossed bill, being page 13, line 11 of the printed bill.

Signed by Senators North, Day; Representatives Becker, Smith (Rick), Greengo.

## MOTION

On motion of Mr. Smith (Rick), the House adopted the report of the Conference Committee on Engrossed House Bill No. 49.

FINAL PASSAGE OF HOUSE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 49 as recommended by the Conference Committee.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 49 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 79; nays, 6; not voting, 13.

Voting yea: Representatives Amen, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seberger, Sherman, Shipchoy, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Cochrane, Haussler, Hawkins, Maxie, Williams.

Not voting: Representatives Adams, Bagnariol, Becker, Hurley M., Jueling, Kalich, Kuehne, Nelson, Paris, Perry, Randall, Thompson, Wilson.

Engrossed House Bill No. 49 as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

June 7, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 483 with the following amendments:

On page 5, line 1 before "by" strike "three" and insert "four"

On page 5, line 1 after "1977" and before the semicolon insert ": PROVIDED, That if a separate facility is required by federal statute or regulation for the maintenance of criminal records, the number of Olympia area installations shall be increased by one"

On page 7, following line 21 add the following paragraph:

"For the purpose of providing an operational comparison in terms of efficiency and level of service to be provided to state agencies by the consolidated automated data processing operations authorized by this 1975 amendatory act, the department of highways or its statutory successor shall retain an independent data processing facility to provide all of its own automated data processing services and, within its resources, to provide as requested such services to other agencies. In operating an independent data processing facility, the department of highways or its statutory successor shall adhere to the operational procedures and policies as established by the authority, including acquisition of equipment, provided that the department of highways or its statutory successor shall have the authority to deviate from said policies and procedures if the highway commission or its statutory successor determines that adherence thereto is detrimental to the overall efficiency of the independent facility. A written justification attesting to the requirement for any such deviations and/or modifications shall be filed with the authority and the senate and house committees on state government."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Shipchoy, the House concurred in the Senate amendment to page 5, line 1, adding a proviso; and refused to concur in the Senate amendments to page 5, line 1, changing "three" to "four"; and to page 7, adding a new paragraph, and asked the Senate to recede therefrom.

## MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 587, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 587, providing for creation of West Seattle access development commission, have

had the same under consideration, and we recommend that the bill do pass with the following amendments:

Beginning on page 1 of the engrossed and printed bill strike all of sections 2, 3, 4 and 5 and insert:

"NEW SECTION. Sec. 2. There is hereby appropriated to the Washington State Highway Commission the sum of \$150,000, or as much thereof as may be necessary, from the Motor Vehicle Fund to study the following issues regarding the proposed improved crossing of the Duwamish waterway to West Seattle; (1) Feasibility of placing the corridor currently identified as the West Seattle freeway corridor, connecting West Seattle to Interstate 5, on the state highway system.

(2) Evaluation of existing studies regarding the proposed high-level crossings of the Duwamish waterway, or conduct additional studies as the commission deems appropriate, to determine the approximate amount of funds required for the construction of a high-level crossing of the Duwamish waterway.

(3) Identification of the principal groups or agencies benefiting from the construction of a high-level crossing of the Duwamish waterway and alternative methods of permitting such groups to participate in project costs including, but not limited to, user tolls or local improvement district assessments.

(4) Identification and analysis of sources of federal, state, and local revenues that may be available for transportation or economic development purposes that could be utilized for such high-level crossing.

(5) Recommended changes in legislation to permit the expeditious design and construction of such high-level crossing upon receipt of funding.

(6) Recommendation of an appropriate agency to administer the design and construction of such crossing.

The highway commission shall report its finding and recommendations to the House and Senate transportation and utilities committees not later than July 1, 1976.

NEW SECTION. Sec. 3. The Washington State Highway Commission shall be advised in its study of the West Seattle freeway corridor, provided for in Section 2 of the 1975 act, by, but not limited to, the chief executive, or his designee, of the Port of Seattle, the Washington State Department of Commerce and Economic Development, the municipality of metropolitan Seattle, and the city of Seattle and such other persons, jurisdictions and agencies affected by the future development of the project as the commission deems appropriate.

NEW SECTION. Sec. 4. Urban arterial trust funds initially authorized by the state urban arterial board in the 1967-69 biennium for specific projects in cities over 300,000 population, as last determined by the office of program planning and fiscal management, shall remain obligated to such projects for the period through June 30, 1977 unless such project is earlier withdrawn or abandoned by the sponsoring city. This continued obligation of urban arterial trust funds shall be terminated for any project if the sponsoring city earlier provides written notice of withdrawal or abandonment of the project to the urban arterial board or if the city acts to expend any other funds, exclusive of the required matching funds, which have heretofore been allocated or set aside to pay a part of the costs of such project.

After the effective date of this 1975 amendatory act, no additional urban arterial trust funds shall be expended for conceptual or feasibility studies of any project initially authorized prior to June 30, 1969 in a city of over 300,000 population, but such limitation shall not apply to the cost of preparing final plans, specifications and estimates or other contract documents required to advertise the project for competitive bids for its construction."

Renumber the remaining section accordingly.

On page 1, beginning on line 1 after the semicolon strike all of the material down to and including "(uncodified)" on line 2 and insert "creating new sections"

Signed by Senators Walgren, Morrisoff, Beck; Representatives Patterson, Laughlin, Ceccarelli.

#### MOTION

Mr. Ceccarelli moved that the House adopt the Report of the Free Conference Committee on Engrossed House Bill No. 587.

Representatives Ceccarelli and Patterson spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mrs. North.

Mrs. North: "You spoke of the \$15 million, urban arterial board funds, which will be frozen. You didn't specify a date; am I to understand that it really is only until 1977?"

Mr. Ceccarelli: "That's correct. Under the new section 4 of the bill, these funds are frozen until June 30, 1977. It also states further, '... unless such project is earlier withdrawn or abandoned by the sponsoring city.' What this says is that we are not going to be able to come down here now or anytime in the future and willy-nilly freeze these funds without making sure that the sponsoring city of the funds is not going to go ahead with the project also. This keeps it on the back of the city of Seattle. Part of this bill does call for a feasibility study to see if it might be put on the state highway system, if it would be beneficial to all parties involved, but this freezes the funds until 1977 and keeps the city on deck so that they are

going to have to participate in this project, not only in the money aspect of the Forward Thrust funds that are available, but also in helping to solve the dilemma of the design and the eventual construction of the bridge on that corridor."

The motion was carried, and the Free Conference Committee Report was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 587 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 587 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 67; nays, 17; not voting, 14.

Voting yea: Representatives Bagnariol, Bausch, Bender, Berentson, Boldt, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Dunlap, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Blair, Bond, Brown, Charney, Curtis, Deccio, Ehlers, Gaines, Hayner, Newhouse, Tilly, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Becker, Douthwaite, Hurley M., Jueling, Kalich, Kuehnle, Nelson, Pardini, Paris, Perry, Randall, Thompson, Wilson.

Engrossed House Bill No. 587 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 612, and has passed the bill as amended by the Conference Committee, and said bill, together with the Conference Committee report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 612, revising laws relating to accountants, have had the same under consideration, and we recommend that the bill be amended to read as follows:

That the following Senate amendments be not adopted:

On page 4, line 27 of the engrossed bill; page 4, line 29 of the engrossed bill, and page 5, line 2 of the engrossed bill;

and that the following Senate amendments shall be adopted:

On page 1, line 25 after "chapter" and before the period insert "not to exceed seventy-five dollars"

On page 2, line 21 after "chapter" insert "not to exceed thirty dollars"

On page 3, line 19 after "chapter" insert "not to exceed thirty dollars"

On page 3, line 33 after "chapter" insert "not to exceed thirty dollars"

On page 4, beginning on line 11 of the engrossed bill, strike all of the material down to and including "chapter." on line 24, being page 4, line 11 of the printed bill, after "amended." strike all of the material down to and including "chapter" on line 23 and the House Committee amendment on page 4, line 15 and insert "Such permits shall expire on the thirtieth day of June of each year. The annual fee for a permit to practice public accounting in this state shall be (~~twenty-five dollars~~) in an amount determined by the board in accordance with this chapter not to exceed fifty dollars."

Signed by Senators Van Hollebeke, Jones, Peterson; Representatives Gallagher, Deccio, Chatalas.

## MOTION

On motion of Mr. Gallagher, the Report of the Conference Committee was adopted.

**FINAL PASSAGE OF HOUSE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE**

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 612 as recommended by the Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 612 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 77; nays, 7; not voting, 14.

Voting yea: Representatives Bagnariol, Barnes, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Savage, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Douthwaite, Ehlers, Eng, Moon, Sherman, Williams.

Not voting: Representatives Adams, Bauer, Becker, Hurley M., Jueling, Kalich, Kuehnle, Nelson, Paris, Perry, Randall, Schumaker, Thompson, Wilson.

Engrossed House Bill No. 612 as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 278, and has passed the bill as amended by the Conference Committee, and said bill, together with the Conference Report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 278, providing for nursing home accounting systems, have had the same under consideration, and we recommend that the Senate recede from its amendment.

Signed by Senators Day, Cunningham, Francis; Representatives Shipoch, Conner, Matthews.

## MOTION

On motion of Mr. Shipoch, the House adopted the report of the Conference Committee on Engrossed House Bill No. 278.

## MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 693, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 693, requiring advertising public contracts in a newspaper in the part of the county

where the work is to be done, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to amend the bill.

Signed by Senators Fleming, Marsh, Jones; Representatives North, Haussler, Leckenby.

#### MOTION

On motion of Mrs. North, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 867, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 867, appropriating funds for the Washington Future program, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Wilson, Benitz, Jolly; Representatives Kilbury, Amen, Boldt.

#### MOTION

On motion of Mr. Boldt, the House adopted the report of the Conference Committee, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 972, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 972, authorizing bonds for social and health services facilities, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Donohue, Newschwander, Odegaard; Representatives Bagnariol, Shipoch, Polk.

#### MOTION

On motion of Mr. Polk, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1143, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1143, authorizing issuance of bonds for certain community college projects, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Donohue, Newschwander, Odegaard; Representatives Bagnariol, Shinpoch, Polk.

## MOTION

On motion of Mr. Polk, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## SENATE AMENDMENT TO HOUSE BILL

June 7, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 561 with the following amendment:

On page 1, line 18 after "section." insert "The board may issue a class H license to a charitable or nonprofit corporation of the state of Washington, the majority of the officers and directors of which are United States citizens and the minority of the officers and directors of which are citizens of the Dominion of Canada, and where the location of the premises for such class H license is not more than ten miles south of the border between the United States and the province of British Columbia." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Conner, the House concurred in the Senate amendment to Engrossed House Bill No. 561.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 561 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 561 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 71; nays, 13; not voting, 14.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charney, Chatalas, Clemente, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley G. S., Jastad, King, Knowles, Laughlin, Leckenby, Lysen, Martinis, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Whiteside, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Cochrane, Ehlers, Eng, Hawkins, Kilbury, Lee, Matthews, Maxie, Patterson, Tilly, Williams, Zimmerman.

Not voting: Representatives Adams, Becker, Bond, Hurley M., Juelling, Kalich, Kuehne, Luders, Nelson, Paris, Perry, Randall, Thompson, Wilson.

Engrossed House Bill No. 561 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2090, making miscellaneous changes in education code, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Stortini, Newschwander, Marsh; Representatives Bauer, Bender, Hayner.

#### MOTION

On motion of Mr. Bauer, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

June 7, 1975

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2210, and once again asks for a conference thereon, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Bauer, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 2210.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Bauer, Gaspard and Berentson as conferees on Engrossed Senate Bill No. 2210.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2401, providing for adjustment of workmen's compensation payment, have had the same under consideration, and we recommend that the House amendments to page 2, line 14; page 2, line 15; page 2, line 26; page 1, line 4 of the title; and page 1, line 5 of the title not be adopted.

Signed by Senators Grant, Morrison, Ridder; Representatives Savage, Freeman, King.

#### MOTION

On motion of Mr. King, the report of the Conference Committee was adopted.

#### FINAL PASSAGE OF SENATE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Senate Bill No. 2401 as recommended by the Conference Committee.

Mr. Matthews spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2401 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Becker, Bond, Chatalas, Hurley M., Jueling, Kalich, Kuehnle, Nelson, Paris, Patterson, Perry, Randall, Thompson, Wilson.

Engrossed Senate Bill No. 2401 as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2808, by Committee on Local Government (Originally sponsored by Senator Fleming):

Expanding the membership of the municipal research council.

The bill was read the second time.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2808 was placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2808, and the bill passed the House by the following vote: Yeas, 76; nays, 9; not voting, 13.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochran, Conner, Curtis, Deccio, Douthwaite, Dunlap, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, North, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Charnley, Ehlers, Eikenberry, Flanagan, Hurley G. S., Matthews, Sherman, Zimmerman.

Not voting: Representatives Adams, Becker, Hurley M., Juelling, Kalich, Kuehnle, Nelson, Newhouse, Paris, Perry, Randall, Thompson, Wilson.

Engrossed Substitute Senate Bill No. 2808, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE CONCURRENT RESOLUTION NO. 101, by Senators Mardesich, Clarke, Goltz, Sandison, Jones and Bluechel:

Requesting establishment of the joint committee on Washington/British Columbia Governmental Cooperation.

The resolution was read the second time.

Mr. Moreau moved adoption of the following amendment:

On page 2, line 5 insert the following:

"BE IT FURTHER RESOLVED, That in addition to the appointed members, the President of the Senate and the Speaker of the House of Representatives shall serve as ex-officio members on the Joint Committee on Washington/British Columbia Governmental Cooperation; and"

Mr. Moreau spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Moreau yielded to question by Mr. Charnley.

Mr. Charnley: "Is it the intent of this amendment that with the two additional legislators being added, the President of the Senate and the Speaker of the House, the total of the commission then would comprise twelve legislators?"

Mr. Moreau: "That is correct, Representative Charnley."

The amendment was adopted.

On motion of Mr. Bender, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 101 as amended by the House was placed on final passage.

Mr. Moreau spoke in favor of passage of the resolution, and Mr. Eikenberry spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 101 as amended by the House, and the resolution was adopted by the following vote: Yeas, 72; nays, 11; not voting, 15.



Voting yea: Representatives Amen, Bagnariol, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Savage, Seeberger, Sherman, Shipoch, Smith E. P., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Dunlap, Eikenberry, Flanagan, Freeman, Leckenby, Lee, Matthews, Peterson, Polk, Schumaker.

Not voting: Representatives Adams, Becker, Bond, Chandler, Hurley M., Jueling, Kalich, Kuehnle, Nelson, Paris, Perry, Randall, Smith R., Thompson, Wilson.

Senate Concurrent Resolution No. 101 as amended by the House, having received the constitutional majority, was declared passed.

#### MESSAGES FROM THE SENATE

June 7, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2108,  
SUBSTITUTE SENATE BILL NO. 2211,  
SENATE BILL NO. 2334,  
SENATE BILL NO. 2609,  
SENATE BILL NO. 2735,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2114, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2172, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2348, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2422, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2613, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 2633, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2894, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 7, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2895, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

The Speaker declared the House to be at ease.

The Speaker (Mr. Haussler presiding) called the House to order.

## SIGNED BY THE SPEAKER

The Speaker (Mr. Haussler presiding) announced that the Speaker had signed:

HOUSE BILL NO. 49,  
 SUBSTITUTE HOUSE BILL NO. 164,  
 HOUSE BILL NO. 174,  
 HOUSE BILL NO. 278,  
 SUBSTITUTE HOUSE BILL NO. 435,  
 HOUSE BILL NO. 695,  
 SUBSTITUTE HOUSE BILL NO. 860,  
 SUBSTITUTE HOUSE BILL NO. 1174,  
 SENATE BILL NO. 2108,  
 SUBSTITUTE SENATE BILL NO. 2211,  
 SENATE BILL NO. 2334,  
 SENATE BILL NO. 2609,  
 SENATE BILL NO. 2735.

## MESSAGES FROM THE SENATE

June 7, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 798,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 2863, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 774, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom as referred ENGROSSED HOUSE BILL NO. 774, have had the same under consideration, and we recommend that the following amendments to the Senate Committee amendment be adopted:

On page 1, line 18 of the Senate Committee amendment, after "vehicles" strike the period, insert a semicolon and add a new subsection as follows:

"(5) Massage business means the operation of a business where massages are given."

On page 4, line 8 of the Senate committee amendment, after "PROVIDED, That" strike all language down to the period on line 11 and insert "the board shall give an appropriate alternate form of examination for persons who cannot read or speak English to determine equivalent competency"

On page 4 of the Senate committee amendment after section 7 insert a new section as follows:

"NEW SECTION. Sec. 8. Massage operators engaged in the massage business for less than one year prior to the effective date of this 1975 act shall have six months from the effective date of this 1975 act to qualify for a massage operator's license, and shall be entitled to continue in said business during that period of time upon a showing of satisfactory proof of good health to the director.

Any person who has, for one year or more immediately prior to the effective date of this 1975 act, been a resident of this state and been actively engaged in the practice of massage as a massage operator shall, upon application and payment of required fees, be licensed to practice massage and shall be exempt from the requirements of examination, provided that within ninety days of the effective date of this 1975 act, he or she shall make application with the director on forms to be provided for that purpose: **PROVIDED HOWEVER**, That this section shall not apply where the applicant has been previously convicted of a crime involving moral turpitude in connection with his or her practice as a massage operator. The board shall give appropriate notice to persons presently doing business in this state as massage operators of the new requirements of the law."

Renumber the remainings sections consecutively.

On page 4, after section 10 of the Senate committee amendment, renumbered section 11, insert the following new sections:

**NEW SECTION. Sec. 12.** It shall be unlawful to advertise the practice of massage by a business not licensed by the director.

**NEW SECTION. Sec. 13.** No person shall conduct a massage business without a massage business license issued by the director and, where required, by the political subdivision within whose jurisdiction the massage business is located. No massage business shall hire a massage operator who is not licensed by the director, provided that this requirement shall not become effective until six months after the effective date of this 1975 act.

**NEW SECTION. Sec. 14.** This chapter does not apply to:

(1) Massage practiced at the athletic department of any institution maintained by the public funds of the state, or any of its political subdivisions;

(2) Massage practiced at the athletic department of any primary or secondary school, or institution of higher education; and

(3) Massage practiced at the athletic department of any nonprofit organization licensed under RCW 66.24.400 and RCW 66.24.450.

**NEW SECTION. Sec. 15.** Massage business license shall expire annually. Failure to pay the annual license renewal fee shall render the license invalid, but such license may be reinstated upon written application thereof to the director, and payment to the state of a penalty of ten dollars together with all delinquent annual license renewal fees.

**NEW SECTION. Sec. 16.** The director shall approve issuance of a massage business license to any applicant who supplies the following information:

(1) The name, home address, telephone number, and social security number and birth certificate of the applicant and of all persons named under subsections (3) and (4) of this section; and

(2) The business name, business address and telephone number of the establishment or proposed establishment and a description of the premises on which said business will be conducted; and

(3) The names of all persons owning an interest in such business or proposed business, including any corporate stockholders, and whether such business will be conducted as a sole proprietorship, partnership, or corporation; if a partnership, giving the names of all persons sharing in the profits of said business, and if a corporation giving the names of its officers and directors and the title of each; and

(4) The names of all persons who will act as proprietor, manager, or person in charge of such business or proposed business; and

(5) Evidence that the facilities of the applicant's massage business comply with the standards established by the director.

**NEW SECTION. Sec. 17.** The fee for application for, and renewal of a massage business license shall be determined by the director as provided in RCW 43.24.085 as now or hereafter amended: **PROVIDED**, That only one fee shall be required where an applicant applies for both a license to practice massage and for a business license.

**NEW SECTION. Sec. 18.** The director may deny issuance or renewal of any license authorized under this chapter, or suspend or revoke any such license, if the licensee:

(1) Has violated any provision of this chapter, or any rule or regulation of the director adopted pursuant to this chapter;

(2) Has made any false statement or representation to the director in order to induce or prevent action by the director;

(3) Has displayed improper, unprofessional, or dishonorable conduct in the operation of his massage business;

(4) Has been convicted of a crime, in connection with the licensee's practice as a massage operator, of lewdness or moral turpitude or possession, use or distribution of a schedule I controlled substance, except marihuana, as defined in RCW 69.50.204, or has forfeited a bond to appear in court for any of the foregoing offenses;

(5) Has failed or refused to qualify for or obtain any business license required by the local political subdivision within whose jurisdiction the massage business is located.

**NEW SECTION. Sec. 19.** The director or any of his authorized representatives may at any time visit and inspect the premises of each massage business establishment in order to ascertain whether it is conducted in compliance with the law, including the provisions of this chapter and the rules and regulations of the director. The operator of such massage business shall furnish such reports and information as may be required.

**NEW SECTION.** Sec. 20. State and local law enforcement personnel shall have the authority to inspect the premises at any time including business hours.

**NEW SECTION.** Sec. 21. The director is authorized to promulgate rules and regulations in accordance with 34.04 RCW to carry out the provisions of this act relating to the regulation of massage businesses in this state.

**NEW SECTION.** Sec. 22. The provisions of this chapter relating to the registration and licensing of any massage business shall not be exclusive and any political subdivision of the state of Washington within whose jurisdiction the massage business is located may require any registrations or licenses, or charge any fee for the same or similar purpose; and nothing herein shall limit or abridge the authority of any political subdivision to levy and collect a general and nondiscriminatory license fee levied upon all businesses, or to levy a tax based upon gross business conducted by any firm within said political subdivision."

Renumber the remaining sections consecutively.

On page 5, line 6 of the Senate committee amendment, after "through" strike "10" and insert "22"

Signed by Senators Day, Scott, Wilson; Representatives Parker, Dunlap, O'Brien.

#### MOTION

Mr. O'Brien moved that the report of the Free Conference Committee be adopted.

Representatives O'Brien, Parker and Dunlap spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Haussler presiding) stated the question before the House to be final passage of Engrossed House Bill No. 774 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 774 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 80; nays, 3; not voting, 15.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Knowles, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McCormick, McKibbin, Moreau, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Peterson, Polk, Savage, Schumaker, Seeberger, Sherman, Shipnosh, Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Haley, Moon, Williams.

Not voting: Representatives Adams, Brown, Deccio, Hurley M., Jueling, Kalich, Kuehne, Matthews, Paris, Patterson, Perry, Randall, Smith E. P., Thompson, Wilson.

Engrossed House Bill No. 774 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Charette assumed the Chair.

#### MESSAGE FROM THE SECRETARY OF STATE

June 5, 1975

THE HONORABLE,  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
THE LEGISLATURE OF THE STATE OF WASHINGTON  
MR. SPEAKER:

We herewith respectfully transmit for your consideration of three sections vetoed by the governor Substitute House Bill 212, the remainder of which has been designated Chapter 166, Laws of 1975 1st ex. sess., together with a copy of the official veto message of the governor setting forth his objections to the sections as provided by Article III, Section 12, of the Washington State Constitution.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the state of Washington. Done at the Capitol at Olympia on the 5th day of June, 1975.

(Seal)

BRUCE K. CHAPMAN,  
by Sam S. Reed  
Assistant Secretary of State.

## MESSAGE FROM THE GOVERNOR

June 4, 1975

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to several sections SUBSTITUTE HOUSE BILL NO. 212, entitled:

"AN ACT Relating to gambling."

At each of the past several sessions of the Legislature, bills have been passed amending the gambling statutes, primarily to extend the scope of gambling activities authorized. As Governor, I have believed it to be my responsibility to review these bills in detail and to remove from the bills those provisions which were most objectionable because of the problems they would have created for law enforcement officials throughout the state. The Legislature could have resolved many of the problems in the bills had law enforcement officials been consulted during the legislative process on the effect of individual amendments to the law. As in the past sessions, the Legislature has apparently failed again to consult those officials, and as a result I am compelled to veto several portions of this bill, which, if allowed to go into effect, would have created serious problems for law enforcement officials in maintaining legalized gambling in this state from professional gambling interests. I regret that several meritorious changes in the law were written into the same sections that I have vetoed, and I am unable to preserve those provisions without the power of the item veto.

Sections 1, 2 and 3 contain several related provisions on small scale gambling, annual fund-raising events, and sports pools. The subsections relating to small scale gambling and annual fund-raising events both contain a ceiling of \$5,000 on gross wagers and bets received by the sponsoring organization. The difficulty presented by this provision is that enormous amounts of money could be exchanging hands among persons betting between themselves with the organization receiving nothing, or if anything, a token amount. Thus while the gross total of \$5,000 sounds like a fairly innocuous amount, it is by no means an accurate measure of the amount of gambling that may take place, including gambling for very high stakes. Moreover, there is no provision for record-keeping, no license required, no requirement that local law enforcement officers be notified of the event, and simply stated, no way by which gambling regulations can be enforced and violations detected. Since no license is required for these events, the provisions of RCW 9.46.160, which prescribes penalties for conducting gambling activities without license, could not be applied to gambling which might take place in flagrant violation of statutory authorization or Gambling Commission rule.

The provisions relating to sports pools create serious problems of enforcement because of the large amount which may be wagered for each square and the absence of any limit on the number of pools that may be conducted simultaneously and on the same premises. Again, there is no requirement for record-keeping, which is particularly needed for sports pools conducted in commercial premises if there is to be any enforcement of commission rules.

For these reasons, I have determined to veto sections 1, 2 and 3.

Section 5 contains language which would prohibit local taxation of amusement games at agricultural fairs. The ostensible reason for this provision is the claim that the local jurisdictions already receive fees to pay for their services from the fee that is charged to the amusement game operator to participate at the fair. This argument ignores the fact that the same can be said of any other business that procures a license and also pays taxes to the local jurisdiction. For this reason, and also because the section contains language tied to provisions in section 1, 2 and 3, I have determined to veto section 5.

Section 6 contains changes identical to those in section 1(2), and would according to proponents of the changes, allow a person who is a member of more than one organization conducting bingo games to volunteer his or her services to assist in all those organizations as long as the person did not participate in the management of the organization. The existing language in the law was placed there to prevent professional bingo operators from conducting bingo games, thereby reducing the risks of customers being cheated or income being substantially taken by such operators instead of accruing to the charitable or nonprofit organizations sponsoring the games. The changes enacted in this bill make it more difficult to prevent the presence of professional operators, and would place the Gambling Commission and local law enforcement personnel in the position of having to distinguish between managerial and nonmanagerial tasks. Accordingly, I have determined to veto section 6.

Section 14 is integrally tied to provisions in sections 1, 2 and 3 which I have vetoed, and would make no sense standing alone. Accordingly, I have vetoed that section.

I have determined not to veto section 13, which is also tied to language relating to fishing derbies in sections 1, 2 and 3, which sections were vetoed for other reasons stated above. It is my intent that notwithstanding the reference in section 13 to a revised definition in section 1(7), the intent of the Legislature in exempting fishing derbies from any other provisions of this act or from any rules and regulations of the Gambling Commission should be carried out. I have no objections to exempting such fishing derbies, and regret that related language in other sections of the bill could not be preserved from section vetoes. I believe that with the language of section 13 and the intent stated in this message, the Gambling Commission has sufficient authority to refrain from regulation of fishing derbies.

I wish to make special note of the fact that I support revised statutory language on small scale gambling and sports pools, and probably would have approved language originally drafted by their proponents and concurred in by the Gambling Commission. However, the provisions related thereto have suffered the same consequences as many other worthwhile changes in past gambling bills, and amendments added during the legislative process have made those provisions far broader than first intended. I specifically regret that the well-intentioned and diligent efforts of organizations such as the Washington Congress of Parents, Teachers and Students are hereby negated because of changes made in the enactment of this bill.

With the exception of sections 1, 2, 3, 5, 6, and 14 which I vetoed for the reasons stated, the remainder of Substitute House Bill No. 212 is approved.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

#### MOTION

Mr. Warnke moved that the vetoed sections of Substitute House Bill No. 212 do pass notwithstanding the Governor's veto.

Representatives Warnke and Conner spoke in favor of the motion.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Newhouse: "I don't have a bill and I don't have a veto message. I don't know which sections we are talking about."

The Speaker (Mr. Charette presiding): "The veto message was passed out when it first arrived; the motion is to override all of the vetoed sections. The bill is on your desk."

Representatives Ehlers and Smith (Rick) spoke in favor of the motion, and Representatives Dunlap and Greengo spoke against it.

#### POINT OF ORDER

Mr. Charnley: "I believe Mr. Greengo is incorrect. This is not a total veto; it is a section veto. There were five or six sections vetoed, not the entire bill. Representative Greengo made the statement that we are considering the entire bill and this is just not so."

The Speaker (Mr. Charette presiding): "Your point of order is well taken. The question before the House is the override of a certain number of sections within Substitute House Bill No. 212."

Mr. Greengo continued his remarks against the motion.

#### POINT OF INQUIRY

Mr. Dunlap yielded to question by Mr. Freeman.

Mr. Freeman: "I notice that on our desks we have some amendments on another gambling issue, Senate Bill No. 2046. Could you tell us how some of the subject matter of those amendments might tie into this veto override?"

#### POINT OF ORDER

Mr. Parker: "The question is an attempt to circumvent the rules that provide for only speaker after the fiftieth day."

The Speaker (Mr. Charette presiding): "The Speaker feels that so long as we are discussing legislative intent and within the limited bounds, the question is proper."

## POINT OF ORDER

Mr. Ehlers: "I believe the question relates to another piece of legislation, not with the item before us."

The Speaker (Mr. Charette presiding): "Your point of order is not well taken. The Speaker has already ruled."

Mr. Dunlap: "Representative Freeman, in answer to your question, Senate Bill No. 2046 was on the second reading calendar. I have on the desk three amendments. The purpose of those amendments would be to restore to Senate Bill No. 2046, the fishing derby bill, language which would cover the original intent of the gambling legislation under House Bill No. 212—that if PTS gave carnivals, defining cake walks and fish ponds as amusement games, covering agricultural fairs and, of course, the subject of the bill itself, fishing derbies—removing them from the purview of the Gambling Commission."

Mr. Pardini spoke against the motion, and Mr. Warnke closed debate, speaking again in favor.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Pardini: "A vote yes would mean that we would override the veto and a vote no would mean that we would not override the veto?"

The Speaker (Mr. Charette presiding): "That is correct, Representative Pardini."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "How many votes are needed to override the veto?"

The Speaker (Mr. Charette presiding): "Two-thirds of the members present."

Mr. Polk: "How many votes is that, Mr. Speaker?"

The Speaker (Mr. Charette presiding): "It's two-thirds of the members present. From time to time there are members who leave the floor and are not here voting, so it's not possible for the Speaker to tell you how many are present."

Mr. Polk: "How many answered the roll call this afternoon?"

The Speaker (Mr. Charette presiding): "Eighty-five answered the roll call."

## ROLL CALL

The Clerk called the roll on the motion to pass the vetoed sections of Substitute House Bill No. 212 notwithstanding the Governor's veto, and the motion failed to receive the necessary two-thirds majority, by the following vote: Yeas, 48; nays, 39; not voting, 11.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Clemente, Cochrane, Conner, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gallagher, Gaspard, Hanna, Hansen, Haussler, Hawkins, Jastad, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, McKibbin, North, O'Brien, Parker, Savage, Schumaker, Seeberger, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Berentson, Blair, Bond, Brown, Chandler, Charnley, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansy, Hayner, Hendricks, Hurley G. S., Leckenby, Lee, Luders, Matthews, Moon, Moreau, Nelson, Newhouse, Pardini, Patterson, Peterson, Polk, Tilly, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Chatalas, Hurley M., Juelling, Kalich, Kuehnle, Paris, Perry, Randall, Thompson, Wilson.

On motion of Mr. Pardini, the House moved to immediately consider Engrossed Senate Bill No. 2046.

The Speaker assumed the Chair.

ENGROSSED SENATE BILL NO. 2046, by Senators Walgren, Beck and Talley:

Declaring that fishing derbies are not gambling and removing them from regulation by the gambling commission.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal, Seventy-fourth Day ex. sess., May 26, 1975.)

On motion of Mr. Jastad, the committee amendment to page 1, line 13 was adopted.

The Speaker declared the House to be at ease.

The Speaker (Mr. Conner presiding) called the House to order.

MESSAGES FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2341, and has passed the bill as amended by the Conference Committee.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2401.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2226, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2403, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 12,  
SUBSTITUTE HOUSE BILL NO. 427,  
HOUSE BILL NO. 436,  
SUBSTITUTE HOUSE BILL NO. 818,  
SECOND SUBSTITUTE HOUSE BILL NO. 1007,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 8, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2226,  
SENATE BILL NO. 2265,  
SENATE BILL NO. 2341,  
SENATE BILL NO. 2401,  
SENATE BILL NO. 2403,  
SENATE BILL NO. 2422,  
SUBSTITUTE SENATE BILL NO. 2469,  
SENATE BILL NO. 2623,  
SENATE BILL NO. 2633,  
SENATE BILL NO. 2670,  
SUBSTITUTE SENATE BILL NO. 2808,  
SENATE BILL NO. 2840,  
SENATE BILL NO. 2944,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

PRESENTATION OF GIFTS

The Speaker (Mr. Conner presiding): "They say that a man has achieved success who has lived well, laughed often and loved much, who has enjoyed the trust of pure women, the respect of intelligent men and the love of little children. Who's filled his niche and accomplished his task; who's left the world better than he found it, whether an improved copy, a perfect poem or a rescued soul; who has never lacked appreciation for others or expressed his



appreciation for the best the world has. Who has always looked for the best in others and has given the very best that he had. Whose life was an inspiration and whose memory was a benediction.

"I think that you will agree that, as members serving the public, each of us has a certain amount of ego. We like to be told that we have done a job well, and with that thought in mind, I would like to ask the following escort committee, Representatives Amen, Maxie, Eng and Newhouse, to escort to the rostrum Speaker Leonard Sawyer and his wife, Beverly."

Representative Charette presented a gift on behalf of the members of the House to the Speaker and Mrs. Sawyer.

The committee escorted the Speaker and Mrs. Sawyer to the rear of the House Chamber.

The Speaker (Mr. Conner presiding) requested that Representatives Wojahn, Jastad, Eikenberry and Hayner escort Speaker Pro Tem John L. O'Brien to the rostrum.

Representative Kilbury presented a gift on behalf of the members of the House to Speaker Pro Tempore John L. O'Brien.

The committee escorted Speaker Pro Tempore John L. O'Brien to the rear of the House Chamber.

#### MOTION

On motion of Mr. Charette, the House recessed until 8:00 p.m.

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#### EVENING SESSION

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The House was called to order at 8:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Adams, Hurley (Margaret), Jueling, Kalich, Kuehnle, Paris, Perry, Randall, Thompson and Wilson, who were excused.

#### MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2114,  
 SENATE BILL NO. 2172,  
 SENATE BILL NO. 2348,  
 SENATE BILL NO. 2613,  
 SENATE BILL NO. 2863,  
 SENATE BILL NO. 2894,  
 SENATE BILL NO. 2895,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 561,  
 HOUSE BILL NO. 587,  
 HOUSE BILL NO. 612,  
 HOUSE BILL NO. 774,  
 SENATE BILL NO. 2114,  
 SENATE BILL NO. 2172,  
 SENATE BILL NO. 2226,  
 SENATE BILL NO. 2265,  
 SENATE BILL NO. 2341,  
 SENATE BILL NO. 2348,  
 SENATE BILL NO. 2401,  
 SENATE BILL NO. 2403,  
 SENATE BILL NO. 2422,  
 SUBSTITUTE SENATE BILL NO. 2469,

SENATE BILL NO. 2613,  
 SENATE BILL NO. 2623,  
 SENATE BILL NO. 2633,  
 SENATE BILL NO. 2670,  
 SUBSTITUTE SENATE BILL NO. 2808,  
 SENATE BILL NO. 2840,  
 SENATE BILL NO. 2863,  
 SENATE BILL NO. 2894,  
 SENATE BILL NO. 2895,  
 SENATE BILL NO. 2944.

The Speaker declared the House to be at ease.  
 The Speaker called the House to order.

MESSAGES FROM THE SENATE

June 8, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 49,  
 SUBSTITUTE HOUSE BILL NO. 164,  
 HOUSE BILL NO. 174,  
 HOUSE BILL NO. 278,  
 SUBSTITUTE HOUSE BILL NO. 435,  
 HOUSE BILL NO. 695,  
 SUBSTITUTE HOUSE BILL NO. 860,  
 SUBSTITUTE HOUSE BILL NO. 1174,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 8, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 249, notwithstanding the Governor's veto, by the following vote: Yeas, 37; nays, 7.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 409, notwithstanding the Governors veto, Yeas 42; nays, 6; and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE CONCURRENT RESOLUTION NO. 101, and has passed the resolution as amended by the House.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has failed to pass ENGROSSED HOUSE BILL NO. 102 notwithstanding the veto of the Governor, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 127, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 866, adopting a budget for state agencies, have had the same under consideration, and we recommend that the bill be amended to read as follows:

AN ACT Adopting the budget; making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1975, and ending June 30, 1977; making other appropriations; designating effective dates for certain appropriations; and declaring an emergency.

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

**NEW SECTION. Section 1.** A budget is hereby adopted and subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, other expenses of the agencies and officers of the state, and for other specified purposes for the fiscal biennium beginning July 1, 1975, and ending June 30, 1977, except as otherwise provided, out of the several funds of the state hereinafter named.

**NEW SECTION. Sec. 2. FOR THE LEGISLATURE**

General Fund Appropriation .....	\$ 2,563,000
Total Appropriation .....	\$ 2,563,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$7,500 for the senate ethics committee.
- (2) \$7,500 for the house ethics committee.
- (3) \$10,000 for Western Forest Practices Task Force.
- (4) \$542,000 for data base operation and staffing.
- (5) \$1,006,000 for the accounting system and central data base modification.
- (6) \$990,000 for special projects and studies, including, but not limited to, special fiscal audit surveys, energy research, hazardous wastes, economic development, civil service position control, pension studies, and common school financing.

**NEW SECTION. Sec. 3. FOR THE LEGISLATIVE BUDGET COMMITTEE**

General Fund Appropriation .....	\$ 741,915
Total Appropriation .....	\$ 741,915

**NEW SECTION. Sec. 4. FOR THE STATUTE LAW COMMITTEE**

General Fund Appropriation .....	\$ 2,428,726
Total Appropriation .....	\$ 2,428,726

**NEW SECTION. Sec. 5. FOR THE SUPREME COURT**

General Fund Appropriation .....	\$ 2,747,967
Total Appropriation .....	\$ 2,747,967

The appropriation contained in this section shall be subject to the following condition or limitation: Not more than \$399,115 shall be expended for expenses incurred in perfecting appellate review of indigent cases.

**NEW SECTION. Sec. 6. FOR THE LAW LIBRARY**

General Fund Appropriation .....	\$ 807,639
Total Appropriation .....	\$ 807,639

**NEW SECTION. Sec. 7. FOR THE COURT OF APPEALS**

General Fund Appropriation .....	\$ 2,571,699
Total Appropriation .....	\$ 2,571,699

The appropriation contained in this section shall be subject to the following condition or limitation: \$15,000 may be expended for the purpose of determining an appropriate site to construct a facility for Division I of the court and priority consideration shall be given to a site adjacent to the University of Washington School of Law.

**NEW SECTION. Sec. 8. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund Appropriation—State .....	\$ 4,929,944
General Fund Appropriation—Federal .....	\$ 170,912
Total Appropriation .....	\$ 5,100,856

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$50,000 shall be expended for criminal cost bills, including prior claims.
- (2) Not more than \$25,000 shall be expended for obligations incurred during the 1973-75 biennium.
- (3) Not more than \$74,560 shall be expended for judges pro tem for the superior courts and the administrator for the courts shall authorize and approve all such expenditures.
- (4) \$3,641,992 for superior court judges.
- (5) \$659,380 for judges' retirement fund contributions in accordance with RCW 2.12.060.

**NEW SECTION. Sec. 9. FOR THE JUDICIAL COUNCIL**

General Fund Appropriation .....	\$ 166,204
Total Appropriation .....	\$ 166,204

**NEW SECTION. Sec. 10. FOR THE OFFICE OF THE GOVERNOR**

General Fund Appropriation .....	\$	1,661,691
Total Appropriation .....	\$	1,661,691

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$1,358,293 for executive operations.
- (2) \$20,000 for investigation and emergency purposes to be distributed on vouchers approved by the governor.
- (3) \$190,690 for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives when approved by the governor, including prior claims and for legal services as determined by the attorney general.

(4) \$92,708 for mansion maintenance.

**NEW SECTION. Sec. 11. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS**

General Fund Appropriation—State .....	\$	105,640,918
General Fund Appropriation—Federal .....	\$	12,962,742
Special Fund Salary Increase Revolving Fund Appropriation .....	\$	41,087,810
Total Appropriation .....	\$	159,691,470

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$630,000 for the governor's emergency fund to be allocated for the purpose of carrying out the critically necessary work of any agency.

(2) Not more than \$700,000 may be allotted by the governor for survey and installation purposes.

(3) \$20,000 for the Interstate Nuclear Compact.

(4) \$2,000 for the Advisory Commission on Intergovernmental Relations.

(5) \$100,340 for the Council on State Governments.

(6) \$60,000 for Governor's Transition.

(7) \$75,000 for the National Guard Association Conference.

(8) Not more than \$117,016,320 in general fund moneys (including \$12,962,742 in federal funds) shall be expended for continuation during the 1975-77 biennium of the salary increases which were granted effective March 1, 1975 pursuant to section 2, chapter 9, Laws of 1975 to state classified and higher education classified employees, state employees exempt from the classified service, faculty and exempt employees of the four year units of higher education and the community college system, excluding student employees not under the jurisdiction of the state personnel board or higher education personnel board classification systems, and commissioned members of the Washington state patrol. Such salary increase funds include increments, or their equivalent, that may be granted by the individual institutions of higher education.

(9) Not more than \$41,087,810 in Special Fund Salary Increase Revolving Fund moneys shall be expended for continuation during the 1975-77 biennium of the salary increases granted pursuant to section 2, chapter 9, Laws of 1975, and to facilitate payment of such increases the state treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Salary Increase Revolving Fund, in accordance with schedules provided by the office of program planning and fiscal management.

(10) It is the intent of the legislature that no funds contained in the appropriations made by this section shall be expended for Alternatives for Washington purposes.

**NEW SECTION. Sec. 12. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation .....	\$	102,434
Total Appropriation .....	\$	102,434

**NEW SECTION. Sec. 13. FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund Appropriation .....	\$	472,112
Total Appropriation .....	\$	472,112

**NEW SECTION. Sec. 14. FOR THE SECRETARY OF STATE**

General Fund Appropriation .....	\$	2,109,690
Total Appropriation .....	\$	2,109,690

The appropriation contained in this section shall be subject to the following condition or limitation: \$540,000 shall be expended exclusively for support of the initiative and referendum program.

**NEW SECTION. Sec. 15. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL**

General Fund Appropriation .....	\$	199,664
Total Appropriation .....	\$	199,664

**NEW SECTION. Sec. 16. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS**

General Fund Appropriation .....	\$	90,436
Total Appropriation .....	\$	90,436

**NEW SECTION. Sec. 17. FOR THE WASHINGTON STATE WOMEN'S COUNCIL**

General Fund Appropriation .....	\$	77,000
Total Appropriation .....	\$	77,000

**NEW SECTION. Sec. 18. FOR THE STATE TREASURER**

General Fund—Investment Reserve Account Appropriation .....	\$	743,011
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Motor Vehicle Fund Appropriation .....	\$	21,803
State Treasurer's Service Fund Appropriation .....	\$	1,615,622
War Veterans' Compensation Fund Appropriation .....	\$	91,692
War Veterans' Compensation Fund Reappropriation .....	\$	1,142,000
Total Appropriation and Reappropriation .....	\$	3,614,128

The appropriations and reappropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$44,347 from the war veterans' compensation fund appropriation shall be expended for administration of the Vietnam Bonus Act if chapter ..., Laws of 1975 1st ex. sess. (SSB 2965 or similar legislation), which extends the application date for such bonus for one year, is not enacted into law.

(2) The war veterans' compensation fund reappropriation shall be expended exclusively for Vietnam bonus payments as provided in chapter 173, Laws of 1974 ex. sess. Only \$400,000 or so much thereof as may be necessary of such reappropriation shall be expended for Vietnam bonus payments if chapter ..., Laws of 1975 1st ex. sess. (SSB 2965 or similar legislation), which extends the application date for such bonus for one year, is not enacted into law.

**NEW SECTION. Sec. 19. FOR THE STATE AUDITOR**

General Fund Appropriation .....	\$	3,802,272
Motor Vehicle Fund Appropriation .....	\$	149,980
Total Appropriation .....	\$	3,952,252

The appropriations contained in this section shall be subject to the following condition or limitation: It is the intent of the legislature that the legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit.

**NEW SECTION. Sec. 20. FOR THE ATTORNEY GENERAL**

General Fund Appropriation .....	\$	1,719,588
Legal Services Revolving Fund Appropriation .....	\$	8,640,579
Total Appropriation .....	\$	10,360,167

**NEW SECTION. Sec. 21. FOR THE OFFICE OF PROGRAM PLANNING AND FISCAL MANAGEMENT**

General Fund Appropriation .....	\$	5,550,303
Total Appropriation .....	\$	5,550,303

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$4,950,303 for operations.

(2) Not more than \$400,000 shall be expended for supplies and services furnished in previous biennia. Allocations shall be made to state agencies in accordance with instructions from OPP&FM.

(3) Not more than \$200,000 shall be expended for payment of assessments against state owned lands.

(4) It is the intent of the legislature that state funds in the amount of \$248,000 included in state agency budgets for state magazine purposes in the 1975-77 biennium shall be reverted to the state general fund through the office of program planning and fiscal management's allotment process.

**NEW SECTION. Sec. 22. FOR THE DEPARTMENT OF PERSONNEL**

General Fund Appropriation .....	\$	10,000
Personnel Service Revolving Fund—State .....	\$	5,636,683
Personnel Service Revolving Fund—Federal .....	\$	1,409,000
State Employees' Insurance Fund .....	\$	589,273
Total Appropriation .....	\$	7,644,956

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$10,000 for payments of Employee Suggestion Awards.

(2) Not more than \$5,636,683 of the personnel service revolving fund appropriation shall be from state funds.

(3) \$82,474 of the personnel service revolving fund appropriation shall be reimbursable from the department of social and health services for the biennial costs of the department of personnel state employees' alcoholism program established in accordance with RCW 70.96A.080.

(4) \$479,236 of the personnel service revolving fund appropriation shall be expended by the department of personnel to administer, maintain, and operate a central automated personnel/payroll system which is hereby authorized. To facilitate proper distribution of costs, the department of personnel is authorized to utilize the data processing revolving fund created by RCW 43.105.080: PROVIDED, That the staff of the data processing service center engaged in payroll data control and payroll data entry, along with such records, files, data, materials, equipment, supplies, and other assets as are directly associated with their function shall be transferred, effective October 1, 1975, to the department of personnel.

(5) All expenses of the state employees' insurance board shall be paid from the state employees' insurance fund.

**NEW SECTION. Sec. 23. FOR THE CAPITOL COMMITTEE**

General Fund—Capitol Building Construction Account Appropriation .....	\$	20,000
Total Appropriation .....	\$	20,000

**NEW SECTION. Sec. 24. FOR THE DATA PROCESSING AUTHORITY**

General Fund Appropriation .....	\$	2,803,599
General Fund—Resource Management Cost Account Appropriation .....	\$	100,000
Accident Fund Appropriation .....	\$	10,000
Medical Aid Appropriation .....	\$	10,000
Motor Vehicle Fund Appropriation .....	\$	175,000
Total Appropriation .....	\$	3,098,599

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,400,000 of the \$2,803,599 general fund appropriation contained in this section shall be transferred to the data processing revolving fund and expended for the purchase of equipment necessary to establish service centers in accordance with consolidation plans.

(2) \$593,099 of the \$2,803,599 general fund appropriation contained in this section shall be expended to assist agencies in transferring to a consolidated data processing environment.

(3) The resource management cost account appropriation, accident fund appropriation, Medical Aid Appropriation, and motor vehicle fund appropriation contained in this section shall be expended to assist agencies in transferring to a consolidated data processing environment.

(4) It is the intent of the legislature that additional transitional costs related to the consolidation plan in excess of those provided for by the appropriations contained in this section shall be considered upon justification therefor.

**NEW SECTION. Sec. 25. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS**

General Fund Appropriation .....	\$	88,687
Total Appropriation .....	\$	88,687

**NEW SECTION. Sec. 26. FOR THE WASHINGTON PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

General Fund Appropriation .....	\$	79,809,101
Retirement System Expense Fund Appropriation .....	\$	2,543,802
Total Appropriation .....	\$	82,352,903

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$2,134,381 of the retirement system expense fund appropriation contained in this section shall be expended for administration of the Washington public employees' retirement system.

(2) Not more than \$409,421 of the retirement system expense fund appropriation contained in this section shall be expended for administration of the Law Enforcement Officers' and Fire Fighters' Retirement System. The board shall fix the rate charged to employer units of the LEOFF system at a level sufficient to provide income to the retirement system expense fund in the 1975-77 biennium equal to the amount appropriated by this subsection.

(3) \$37,965 of the general fund appropriation contained in this section shall be expended for the administrative expenses of the judicial retirement system.

(4) \$79,500,000 of the general fund appropriation contained in this section shall be expended for contributions to the LEOFF system.

(5) \$271,136 of the general fund appropriation contained in this section shall be expended for contributions to the judicial retirement system.

**NEW SECTION. Sec. 27. FOR THE FINANCE COMMITTEE**

General Fund—Investment Reserve Account Appropriation .....	\$	526,039
Total Appropriation .....	\$	526,039

The appropriation contained in this section shall be subject to the following condition or limitation: The committee shall assume full responsibility for the investment management of the state trust and retirement funds and the additional staff necessary for such assumption shall be subject to the development of a contract (or contracts) for the reimbursement of such services from the state trust and retirement funds.

**NEW SECTION. Sec. 28. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation .....	\$	19,970,898
State Timber Reserve Fund Appropriation .....	\$	1,480,732
Total Appropriation .....	\$	21,451,630

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Audit coverage of all tax returns shall be increased from 15% to 17%.

(2) Audit coverage of timber tax returns shall be accomplished by the current audit staff of the department without an increase in FTE staff years. Audit costs attributable to the timber tax are to be credited against the appropriation from the State Timber Reserve Fund.

(3) Twelve positions (20 FTE's) shall be added to the current staff of 19 (38 FTE's) for improvement of the administration of the timber tax including stumpage and land valuation.

**NEW SECTION. Sec. 29. FOR THE TAX APPEALS BOARD**

General Fund Appropriation .....	\$	600,881
Total Appropriation .....	\$	600,881

**NEW SECTION. Sec. 30. FOR THE MUNICIPAL RESEARCH COUNCIL**

General Fund Appropriation .....	\$	735,000
Total Appropriation .....	\$	735,000

**NEW SECTION. Sec. 31. FOR THE UNIFORM LEGISLATION COMMISSION**

General Fund Appropriation .....	\$	15,826
Total Appropriation .....	\$	15,826

**NEW SECTION. Sec. 32. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation .....	\$	6,509,467
Department of General Administration Facilities and Services Revolving Fund		
Appropriation .....	\$	7,017,307
General Fund—Motor Transport Account Appropriation .....	\$	2,616,585
Total Appropriation .....	\$	16,143,359

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$64,500 shall be expended for the Migrant Campsite Advisory Council established by the director to extend the Buena pilot project to a full biennial operation.

(2) The motor transport account appropriation shall be expended as follows:

- (a) \$2,116,585 for operation of motor vehicle transportation services; and
- (b) \$500,000 for provision of additional motor vehicle transportation services. Such funds shall not be available for allotment or expenditure until a plan or plans for such expanded services shall have been reviewed and approved by the office of program planning and fiscal management on behalf of the governor. A report of any amounts approved for allotment shall be filed with the legislative auditor and such auditor shall transmit such report to the standing ways and means committees and the legislative budget committee.

(3) \$210,000 of the general fund appropriation shall be expended exclusively for the implementation of chapter ..., Laws of 1975 1st ex. sess. (HB 102). It is the intent of the legislature that such expenditure shall result in a minimum of \$4,000,000 savings and cost avoidance in the overall state purchasing and material control system during the 1975-77 biennium. Accordingly, all dollar amounts representing cost savings or cost avoidance achieved by the state supply management policy board during this biennium shall not be allotted or expended, but shall be reserved for reversion to the fund of origin.

(4) \$210,000 of the general fund appropriation shall be expended for the maintenance and upkeep of the Northern State Hospital facility with a monthly limit on expenditures of not more than \$35,000. The office of program planning and fiscal management is hereby directed to furnish the next session of the legislature with a plan and recommendation for disposition of the facility.

**NEW SECTION. Sec. 33. FOR THE PRESIDENTIAL ELECTORS**

General Fund Appropriation .....	\$	325
Total Appropriation .....	\$	325

**NEW SECTION. Sec. 34. FOR THE INSURANCE COMMISSIONER**

General Fund Appropriation .....	\$	4,097,320
Total Appropriation .....	\$	4,097,320

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$987,873 shall be expended exclusively for support of the Fire Safety and Regulation Program.

(2) Whenever the Insurance Companies Reimbursement Fund—Local exceeds \$248,400, there shall be a corresponding increase in unexpended state funds.

**NEW SECTION. Sec. 35. FOR THE BOARD OF ACCOUNTANCY**

General Fund Appropriation .....	\$	293,217
Total Appropriation .....	\$	293,217

**NEW SECTION. Sec. 36. FOR THE ATHLETIC COMMISSION**

General Fund Appropriation .....	\$	42,007
Total Appropriation .....	\$	42,007

**NEW SECTION. Sec. 37. FOR THE CEMETERY BOARD**

General Fund—Cemetery Account Appropriation .....	\$	40,287
Total Appropriation .....	\$	40,287

**NEW SECTION. Sec. 38. FOR THE HORSE RACING COMMISSION**

Horse Racing Commission Fund .....	\$	1,301,201
Total Appropriation .....	\$	1,301,201

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) If there are more than 454 racing days during the 1975-77 biennium, the governor is hereby authorized to allocate such additional funds as may be required.

(2) It is the intent of the legislature that the School of Veterinary Medicine of Washington State University shall perform the chemical analyses required by the commission during the 1976 racing season, unless the school is prohibited from doing so by technical limitations.

**NEW SECTION. Sec. 39. FOR THE LIQUOR CONTROL BOARD**

Liquor Board Revolving Fund Appropriation .....	\$	35,924,688
Total Appropriation .....	\$	35,924,688

The appropriation contained in this section shall be subject to the following condition or limitation:  
It is the intent of the legislature that during the 1975-77 biennium the board shall not operate more than 326 state retail liquor outlets.

**NEW SECTION. Sec. 40. FOR THE PHARMACY BOARD**

General Fund Appropriation .....	\$	535,349
Total Appropriation .....	\$	535,349

**NEW SECTION. Sec. 41. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Public Service Revolving Fund Appropriation .....	\$	7,944,367
Grade Crossing Protective Fund Appropriation .....	\$	675,000
Total Appropriation .....	\$	8,619,367

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$100,000 from the grade crossing protective fund appropriation may be expended for obligations incurred in the 1973-75 biennium for the grade crossing protective program.

(2) \$115,000 from the public service revolving fund appropriation may be expended in the transportation program to carry out a study of motor carrier statutes, chapter 81.80 RCW, for the purpose of proposing necessary changes in such statutes to the legislature. The results of such study and any recommendations shall be transmitted to the legislature and the governor prior to the next regular session of the legislature.

**NEW SECTION. Sec. 42. FOR THE BOARD FOR VOLUNTEER FIREMEN**

Volunteer Firemen's Relief and Pension Fund Appropriation .....	\$	76,559
Total Appropriation .....	\$	76,559

The appropriation contained in this section shall be subject to the following condition or limitation:  
\$5,000 shall be expended to conduct an actuarial valuation of the Volunteer Firemen's Relief and Pension Fund.

**NEW SECTION. Sec. 43. FOR THE DEPARTMENT OF EMERGENCY SERVICES**

General Fund Appropriation—State .....	\$	407,197
General Fund Appropriation—Federal .....	\$	1,765,731
Total Appropriation .....	\$	2,172,928

The appropriation contained in this section shall be subject to the following condition or limitation:  
The energy information and conservation center program, and the 10 FTE's requested for this function, shall not be implemented unless federal funds of \$144,618 are available for such program.

**NEW SECTION. Sec. 44. FOR THE MILITARY DEPARTMENT**

General Fund Appropriation .....	\$	3,912,181
Armory Fund Appropriation .....	\$	442,034
Total Appropriation .....	\$	4,354,215

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not less than \$330,000 shall be expended for major maintenance and repair of installations.

(2) \$25,000 of the general fund appropriation may be expended for the national guard youth today program.

**NEW SECTION. Sec. 45. FOR THE TEACHERS' RETIREMENT SYSTEM**

General Fund Appropriation .....	\$	99,562,353
Teachers' Retirement Fund Appropriation .....	\$	1,438,216
Total Appropriation .....	\$	101,000,569

The appropriation contained in this section shall be subject to the following condition or limitation:  
Not more than \$99,562,353 of this appropriation shall be expended for contributions to the teachers' retirement system.

**NEW SECTION. Sec. 46. FOR THE HIGHER EDUCATION PERSONNEL BOARD**

Higher Education Personnel Board Service Fund Appropriation .....	\$	744,746
Total Appropriation .....	\$	744,746

**NEW SECTION. Sec. 47. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST**

Highway Bond Retirement Fund Appropriation .....	\$	79,018,501
Public School Building Bond Redemption Fund 1959 Appropriation .....	\$	4,761,588
Public School Building Bond Redemption Fund 1961 Appropriation .....	\$	7,304,615
Public School Building Bond Redemption Fund 1963 Appropriation .....	\$	8,598,029
Public School Building Bond Redemption Fund 1965 Appropriation .....	\$	2,436,230
Common School Building Bond Redemption Fund 1967 Appropriation .....	\$	6,956,060
University of Washington Bond Retirement Fund Appropriation .....	\$	3,326,572
University of Washington Hospital Bond Retirement Fund Appropriation .....	\$	1,251,628



Washington State University Bond Retirement Fund Appropriation .....	\$ 2,228,979
Central Washington State College Bond Retirement Fund Appropriation .....	\$ 1,421,511
Eastern Washington State College Bond Retirement Fund Appropriation .....	\$ 1,090,536
Western Washington State College Bond Retirement Fund Appropriation .....	\$ 1,594,548
The Evergreen State College Bond Retirement Fund 1967 Appropriation .....	\$ 208,116
State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$ 1,919,435
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$ 1,237,306
Community College Bond Retirement Fund Appropriation .....	\$ 9,227,981
Community College Capital Improvement Bond Redemption Fund 1972 Approp- riation .....	\$ 2,356,600
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$ 980,496
Office-Laboratory Facilities Bond Redemption Fund Appropriation .....	\$ 62,580
Community College Capital Construction Bond Retirement Fund 1975 Approp- riation .....	\$ 390,000
Community College Capital Construction Bond Retirement Fund 1975 Approp- riation .....	\$ 1,140,000
Institutional Building Bond Redemption Fund 1957 Appropriation .....	\$ 3,535,720
State Building Construction Bond Redemption Fund Appropriation .....	\$ 8,487,823
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation .....	\$ 8,478,420
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation .....	\$ 9,758,391
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation .....	\$ 621,010
General Administration Building Bond Redemption Fund Appropriation .....	\$ 714,253
State Building and Parking Bond Redemption Fund 1969 Appropriation .....	\$ 2,450,580
State Building Bond Redemption Fund 1967 Appropriation .....	\$ 650,510
State Building Bond Redemption Fund 1973A Appropriation .....	\$ 392,071
State Building Bond Redemption Fund 1973 Appropriation .....	\$ 3,405,448
Social and Health Services Facilities Bond Redemption Fund Appropriation .....	\$ 726,560
Outdoor Recreational Bond Redemption Fund Appropriation .....	\$ 1,846,843
Recreation Improvements Bond Redemption Fund Appropriation .....	\$ 1,464,220
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation .....	\$ 3,866,796
Outdoor Recreational Bond Redemption Fund 1967 Appropriation .....	\$ 6,324,803
State Building Authority Bond Redemption Fund Appropriation .....	\$ 9,983,305
Waste Disposal Facilities Bond Redemption Fund Appropriation .....	\$ 3,209,632
Water Supply Facilities Bond Redemption Fund Appropriation .....	\$ 1,688,756

NEW SECTION. Sec. 48. FOR THE STATE TREASURER—STATE REVENUES FOR

<b>DISTRIBUTION</b>	
General Fund Appropriation for fire insurance premiums tax distribution .....	\$ 1,620,000
General Fund Appropriation for all-terrain vehicles and snowmobile registra- tion by counties .....	\$ 24,344
General Fund Appropriation for public utility district excise tax distribution .....	\$ 11,232,000
General Fund Appropriation for prosecuting attorneys salaries .....	\$ 845,625
General Fund Appropriation for Motor Vehicle Excise Tax Distribution .....	\$ 24,156,893
General Fund Appropriation for Camper and Travel Trailer Excise Tax Distri- bution .....	\$ 1,145,178
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	\$ 192,500
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution .....	\$ 14,000,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	\$ 130,000,000
Liquor Board Revolving Fund Appropriation for liquor profits distribution .....	\$ 39,425,000
State Timber Tax Fund 'A' Appropriation for distribution to "Timber" Coun- ties .....	\$ 16,191,000
State Timber Reserve Fund Appropriation for distribution to "Timber" Coun- ties .....	\$ 20,664,648
Lease Hold in Lieu Tax Fund Appropriation for distribution .....	\$ 1,770,000

NEW SECTION. Sec. 49. FOR THE STATE TREASURER—FEDERAL REVENUES FOR

<b>DISTRIBUTION</b>	
Forest Reserve Fund Appropriation for forest reserve fund distribution .....	\$ 30,800,000
General Fund Appropriation for federal flood control funds distribution .....	\$ 36,564
General Fund Appropriation for Federal grazing fees distribution .....	\$ 29,580

NEW SECTION. Sec. 50. DEPARTMENT OF SOCIAL AND HEALTH SERVICES.

State Funding Sources .....	\$ 795,218,445
Federal Funding Sources .....	\$ 632,993,859
Local Funding Sources .....	\$ 2,441,126

Total ..... \$ 1,430,653,430

The appropriations contained in sections 52 through 62 of this act shall be subject to the following conditions and limitations:

(1) The legislature recognizes that mass institutionalization and hospitalization may not be a satisfactory solution to the treatment of physical or mental disorders or the problem of criminal rehabilitation. The legislature further recognizes that proposals to modify such institutionalization and hospitalization have not been thoroughly reviewed for substance or fiscal impact in such a manner as to permit the development of sound legislative policy in these areas. Therefore, the legislature has established a budgetary position that will assure institutional provisions for the safety and well-being of all our citizens, but which restrains the modification of existing methods until questions of policy and fiscal impact have been determined by the legislature.

(2) Not later than October 1, 1975, the department shall transmit a list to the standing ways and means committees of all federal moneys received, including unanticipated receipts so noted, as of July 1, 1975, by departmental program, category, and organizational unit which list shall include the following information:

- (a) The granting federal agency;
- (b) A brief description and federal reference number, if applicable;
- (c) The specific amount of money received and the purpose for which it is intended;
- (d) The matching requirements; and
- (e) The limiting factors, if any.

Monthly revisions to the list required by this subsection, including unanticipated receipts, shall be provided in the same manner as the original list for the remainder of the fiscal biennium.

(3) The department shall not transfer more than ten million dollars between the programs appropriated for in sections 51 through 62 of this act without specific approval of the office of program planning and fiscal management and the standing ways and means committees. The department shall notify the office of program planning and fiscal management and the standing ways and means committees whenever any transfers are made which are within the limits established by this subsection.

(4) The department shall provide quarterly reports to the standing ways and means committees relating to the realization of all projected program savings upon which the 1975-77 departmental budget request is predicated.

(5) The department of social and health services shall establish regulations for reasonable nursing home accounting and reimbursement systems which recognize relevant cost related factors for department of social and health services patients. This shall include, but not be limited to, the scope or level of services or care, requirements of staff, physical plant, a reasonable rate of return on investment, and incentives for improved patient care within funds available to the department for nursing home care. The regulations shall provide that no payment will be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system. Not later than January 1, 1976, the department shall provide a report to the standing ways and means and social and health services committees which reviews the nursing home cost reimbursement system and other vendor payments and which includes required state and federal standards, standards maintained, all completed audits, and recommendations for legislative consideration.

(6) The department shall present fiscal and organizational zero-base data to the standing ways and means committees and the social and health services committees, by July 1, 1976, which will assist in reestablishing the budgetary base for the public health, vocational rehabilitation, and administrative and support services programs.

(7) The department shall develop a proposal for a group homes cost reimbursement system that provides incentives for improving client care. The proposal shall provide for maximum limits for described levels and kinds of care that ensure that expenditures shall be within amounts appropriated for such care. The cost reimbursement system shall also include consideration of various salary schedules necessary for the delivery of such components of care and shall also include consideration of wage and salary levels of comparable positions in the public and private sectors. The department shall submit the proposed cost reimbursement system to the standing ways and means and social and health services committees for approval prior to the implementation of the system.

(8) If the claim made by the state to the United States department of health, education, and welfare on October 24, 1972, for reimbursement in the amount of \$32,876,903 is sustained in whole or in part such funds and any other similar funds received by the state shall be deposited by the state treasurer in Suspend Fund 705 and no allocation or disbursement from such fund shall be made except as specifically authorized by legislative enactment.

All disputes arising between the state and the United States department of health, education, and welfare involving the state's claim or claims to federal reimbursement of state expenditures as provided by the applicable provisions of the federal social security act which would have the effect of reducing or increasing any appropriation or any part thereof as set forth in this act shall be negotiated and settled only with the consent of a majority of the members of the respective ways and means committees of the legislature.

The sum of \$5,508,264 currently held by the state treasurer in Suspend Fund 705 pending the completion of federal review of the legitimacy of the aforementioned claim for such moneys shall continue to

be held and no allocation or disbursement from such funds shall be made without specific authorization by legislative enactment, except to repay the federal government if necessary.

If the department of social and health services claims additional matching for the period of October 1, 1972, through June 30, 1973, or any portion thereof, or for any other period, such moneys shall be deposited by the state treasurer in Suspense Fund 705 and no allocation or disbursement from such fund shall be made except as specifically authorized by legislative enactment.

(9) The department shall deploy personnel in such a manner as to insure, insofar as is possible, that ineligible persons shall be removed from current caseloads, errors resulting in overpayments or underpayments to recipients shall be corrected, efforts shall be made to insure that only eligible individuals are added to the public assistance caseloads, and that caseloads are kept within the estimates for which funds are provided by this act.

Compliance with this act and the attempt to contain caseloads within acceptable limits shall be accomplished but, notwithstanding the provisions of RCW 74.08.040, the department of social and health services shall not impose ratable reductions, or any other form of reduction in public assistance grants which are in addition to, or in any way lower than the maximums presently imposed.

(10) It is the intent of the legislature that the department shall not initiate any new or additional programs or services in any of the agency's programs beyond those authorized in sections 52 through 62 of this act without prior approval of the ways and means committees of the legislature.

**NEW SECTION. Sec. 51. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS AND REHABILITATION PROGRAM**  
**(1) COMMUNITY REHABILITATION SERVICES.**

General Fund Appropriation—State .....	\$	11,661,708
General Fund Appropriation—Federal .....	\$	1,985,251
Total Appropriation .....	\$	13,646,959

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 770.5 FTE staff years within the community rehabilitation services category during the 1975-77 biennium.
- (b) Probation and parole case service may be expanded by an expenditure level not to exceed \$1,948,568 (including \$1,648,568 from federal funds) and a staffing level not to exceed 146.0 FTE's.
- (c) It is the intent of the legislature that a specialized caseload diversion project may be initiated in community rehabilitative services at an expenditure level not to exceed \$376,683 (including \$336,683 from federal funds) and a staffing level not to exceed 30.0 FTE's.
- (d) The programs at the Washington state reformatory's Trails End Farm may be expanded to accommodate an additional 50 residents by expansion of the expenditure level in an amount not to exceed \$82,876 and by expansion of the staffing level not to exceed 7.0 FTE's.
- (e) \$142,800 of the general fund appropriation—state shall be utilized to supplement funds granted under the National Institute of Law Enforcement and Criminal Justice grant number 74-TA-10-001.
- (f) \$11,929 shall be utilized for expansion of the gate money program to Indian Ridge and Larch Mountain Honor Camp.

**(2) INSTITUTIONAL REHABILITATION SERVICES.**

General Fund Appropriation—State .....	\$	14,431,685
Total Appropriation .....	\$	14,431,685

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 787.4 FTE staff years within the institutional rehabilitation services category during the 1975-77 biennium.
- (b) Not more than 12 FTE staff years and not more than \$148,131 shall be expended for expanded night security at the women's treatment center at Purdy.
- (c) \$11,441 shall be utilized for expansion of the resident wages program at Larch Mountain.
- (d) \$35,478 shall be utilized in the purchase of equipment.
- (e) In order to achieve a balanced counselor/inmate ratio at state correctional institutions, \$258,888 and an additional staffing level not to exceed 20.0 FTE's shall be expended for institutional classification counselors.

**(3) CUSTODY.**

General Fund Appropriation—State .....	\$	15,113,277
Total Appropriation .....	\$	15,113,277

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 1,227.0 FTE staff years within the custody category during the 1975-77 biennium.
- (b) \$1,213,766 and additional staffing not to exceed 116.0 FTE's in excess of the current level, shall be expended for staff coverage as required by the department's institutional post assignment survey.

- (c) Expansion of night security staffing at the Washington corrections center and Larch Mountain Honor Camp by expending not more than 20.0 FTE staff years and by the expenditure of not more than \$220,428.

(4) SPECIAL PROJECTS.

General Fund Appropriation—State .....	\$ 1,107,113
General Fund Appropriation—Federal .....	\$ 291,767
Total Appropriation .....	\$ 1,398,880

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 52.0 FTE staff years within the special projects category during the 1975-77 biennium.
- (b) It is the intent of the legislature that \$1,398,880 (including \$291,767 from federal funds) and a staffing level not to exceed 52.0 FTE's shall be expended within the program for the special projects category.
  - (i) Such expenditures shall include \$770,000 and 24.0 FTE's for the establishment and operation of a minimum-to-moderate correctional center at Firlands. Not later than January 15, 1976, the department shall submit a detailed report to the standing ways and means committees, social and health services committees, and judiciary committees relating to the operational policies and procedures at the Firlands facility. Such report shall specifically include substantiated information relating to the department's ability to obtain community involvement and acceptance of the Firland's facility.
  - (ii) \$85,000 of the general fund appropriation—state shall be expended, pursuant to chapter 81, Laws of 1974 ex. sess. to complete the study called for in the act.
  - (iii) \$63,750 in the special project category shall be transferred to the department of employment security for completion of a corporate task force on corrections planning study by December 1, 1975, to determine the possibility of a private nonprofit organization participating in administering a pilot adult correctional rehabilitation program. This expenditure authorization is contingent upon the provision of at least \$21,250 in additional funds from six or more major private corporations to assist in completion of this study, the results of which will determine further state participation in the private pilot rehabilitation correctional program.

(5) PROGRAM SUPPORT.

General Fund Appropriation—State .....	\$ 16,523,369
Total Appropriation .....	\$ 16,523,369

The appropriation contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 462.1 FTE staff years within the program support category during the 1975-77 biennium.

**NEW SECTION. Sec. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE JUVENILE REHABILITATION SERVICES PROGRAM**

(1) COMMUNITY REHABILITATION SERVICES.

General Fund Appropriation—State .....	\$ 10,146,411
General Fund Appropriation—Federal .....	\$ 250,000
Total Appropriation .....	\$ 10,396,411

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 332.3 FTE staff years within the community rehabilitation services category during the 1975-77 biennium.
- (b) \$1,263,949 and a staffing level not to exceed 54.0 FTE's shall be expended for continued operation of the current delinquency prevention and control program. The department shall provide, in a report to the standing ways and means committees no later than December 1, 1976, a detailed description of the program goals and objectives, identification of service needs, eligibility criteria for services, work load indicators, and measurements of the program's effectiveness together with an estimated six-year operational plan.
- (c) \$251,178 and a staffing level not to exceed 15.0 FTE's shall be expended for the Richland group home during the 1975-77 biennium.
- (d) The department shall develop and report to the standing ways and means and social and health services committees by October 1, 1976, a description of operational procedures and cost structures relating to juvenile group homes.

(2) INSTITUTIONAL REHABILITATION SERVICES.

General Fund Appropriation—State .....	\$ 15,530,871
Total Appropriation .....	\$ 15,530,871

The appropriation contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 1,117.3 FTE staff years within the institutional rehabilitation services category during the 1975-77 biennium.
- (b) \$36,710 and a staffing level not to exceed 4.0 FTE's shall be expended for additional night security at Cedar Creek and Mission Creek youth camps.
- (c) It is the intent of the legislature that \$2,643,772 and a staffing level of 207.3 FTE's shall be expended for the continued operation of the Green Hill juvenile facility.
- (d) The department is authorized to provide child welfare services to a person who at the time of attaining the age of eighteen years is receiving such services pursuant to chapter 74.13 RCW and who is attending school through the completion of the recipient's high school program but in no event shall such services be extended beyond the age of twenty-one years.

(3) SPECIAL PROJECTS.

General Fund Appropriation—Federal.....	\$	248,479
Total Appropriation .....	\$	248,479

The appropriation contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 11.8 FTE staff years within the special projects category during the 1975-77 biennium for expansion of community diagnostic services.

(4) PROGRAM SUPPORT.

General Fund Appropriation—State .....	\$	9,551,227
General Fund Appropriation—Federal.....	\$	49,600
Total Appropriation .....	\$	9,600,827

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 437.4 FTE staff years within the program support category during the 1975-77 biennium.
- (b) \$1,769,677 (including \$7,200 from federal funds) and the staffing level of 78.4 FTE shall be expended for continued operation of Green Hill Juvenile facility.

NEW SECTION. Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE MENTAL HEALTH PROGRAM

(1) COMMUNITY REHABILITATION SERVICES.

General Fund Appropriation—State .....	\$	25,458,449
General Fund Appropriation—Federal .....	\$	6,446,194
General Fund Appropriation—Local .....	\$	260,000
Total Appropriation .....	\$	32,164,643

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 62.0 FTE staff years within the community rehabilitation services category during the 1975-77 biennium.
- (b) Not later than January 1, 1976, the department shall submit a report to the standing ways and means committees, social and health services committees, and the office of program planning and fiscal management on each community mental health facility which receives state funds and each such report shall contain the following information:
  - (i) The managing authority;
  - (ii) Treatment services offered;
  - (iii) Criteria for treatment services;
  - (iv) Criteria for client eligibility;
  - (v) Total number of individual clients requesting services;
  - (vi) Total number of individuals receiving services by type of service rendered;
  - (vii) Priority of treatment and clients;
  - (viii) Fee structure;
  - (ix) Itemized revenue by source;
  - (x) Itemized positions compensated for and the respective amounts received by: (A) salary or wages; (B) personal service contracts; or (C) fees for services rendered; and
  - (xi) A summary of expenditures to date.
- (c) \$16,616,151 shall be expended for community mental health grants. Not later than October, 1976, the department shall furnish proposed standards for community mental health facilities to the standing ways and means committees, social and health services committees, and the office of program planning and fiscal management.
- (d) \$5,720,225 shall be expended to fund costs incurred by counties in their administration of the civil commitment act.
- (e) \$1,359,327 and 2.2 FTE staff years shall be utilized to maintain current level in the alcoholism program.

(2) INSTITUTIONAL REHABILITATIVE SERVICES.

General Fund Appropriation—State .....	\$	21,314,971
Total Appropriation .....	\$	21,314,971

The appropriation contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 1,792.2 FTE staff years within the institutional rehabilitative services category during the 1975-77 biennium.

(3) SPECIAL PROJECTS.

General Fund Appropriation—State .....	\$	1,053,690
General Fund Appropriation—Federal .....	\$	50,000
Total Appropriation .....	\$	1,103,690

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 16.0 FTE staff years within the special projects category during the 1975-77 biennium.
- (b) \$1,053,690 shall be for the establishment of long-term chronic alcoholism treatment centers. Not later than December 31, 1976, the department shall furnish the standing ways and means committees, the social and health services committees, and the office of program planning and fiscal management the following data on each facility receiving a portion of such funds through grants:
  - (i) Local agency responsible;
  - (ii) Total individual clients requesting or referred for services and the total number of those receiving treatment;
  - (iii) Criteria for client eligibility;
  - (iv) Total number of individual clients who repeat treatment;
  - (v) Treatment services offered and the criteria for treatment;
  - (vi) The priorities of treatment and clients;
  - (vii) Fee structure;
  - (viii) Itemized revenue by source;
  - (ix) Itemized positions compensated for and the respective amounts received by: (A) Salary or wages; (B) personal service contracts; or (C) fees for services rendered; and
  - (x) A summary of expenditures through October, 1976.

(4) PROGRAM SUPPORT.

General Fund Appropriation—State .....	\$	12,423,857
Total Appropriation .....	\$	12,423,857

The appropriation contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 657.2 FTE staff years within the program support category during the 1975-77 biennium.

NEW SECTION. Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES.

General Fund Appropriation—State .....	\$	9,691,109
General Fund Appropriation—Federal .....	\$	7,050,294
General Fund Appropriation—Local .....	\$	40,896
Total Appropriation .....	\$	16,782,299

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 163.0 FTE staff years within the community services category during the 1975-77 biennium.
- (b) \$1,176,142 shall be utilized to increase group homes and developmental center vendor rates.
- (c) Not later than October 1, 1976, the department shall furnish the standing ways and means committees, the social and health services committees, and the office of program planning and fiscal management with the following information for each developmental disability group home and center receiving state funds:
  - (i) Management responsibility;
  - (ii) Care and rehabilitative programs available and their criteria;
  - (iii) Criteria for eligibility;
  - (iv) Persons served;
  - (v) Detailed source of revenue;
  - (vi) Itemized positions compensated for and the respective amounts received by: (A) Salary and wages; (B) personal service contracts; and (C) fees for services rendered; and
  - (vii) Summary of expenditures through August, 1976.
- (d) \$95,000 (including \$45,000 from federal funds) shall be expended to fund the construction of a residential hall at the Antonian Home for Special Children.
- (e) Not later than October 1, 1976, the department shall furnish proposed standards for developmental disability centers and group homes to the standing ways and means committees, the social and health services committees, and the office of program planning and fiscal management.

(f) Holly Ridge Developmental Center shall continue to be provided with facilities at Olympic Center without rental or lease cost for space utilized by such program.

(g) A program for home aide services shall be initiated by the expenditure of \$760,000.

**(2) INSTITUTIONAL REHABILITATION SERVICES.**

General Fund Appropriation—State .....	\$ 48,129,418
Total Appropriation .....	\$ 48,129,418

The appropriation contained in this subsection shall be subject to the following conditions and limitations:

(a) The department shall expend not more than 4,148.6 FTE staff years within the institutional rehabilitation services category during the 1975-77 biennium.

(b) \$2,139,489 and increased staff authorization not to exceed 175.0 FTE's shall be utilized to expand institutional staff levels.

**(3) SPECIAL PROJECTS.**

General Fund Appropriation—State .....	\$ 284,236
General Fund Appropriation—Federal .....	\$ 4,947,157
Total Appropriation .....	\$ 5,231,393

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

(a) The department shall expend not more than 128.6 FTE staff years within the special projects category during the 1975-77 biennium.

(b) \$250,000 or as much thereof as shall be required, may be expended for the development of a phased comprehensive plan related to the implementation of state group homes and developmental disability training centers. This plan shall include, but not be limited to, the following:

- (i) Location;
- (ii) Preliminary floor and layout plans;
- (iii) Projected staffing and operational cost requirements;
- (iv) Cost estimates and projections;
- (v) Criteria for resident assignment;
- (vi) Relationship to institutions; and
- (vii) Initial and future management responsibility.

**(4) PROGRAM SUPPORT.**

General Fund Appropriation—State .....	\$ 27,675,704
Total Appropriation .....	\$ 27,675,704

The appropriation contained in this subsection shall be subject to the following conditions and limitations:

(a) The department shall expend not more than 1,481.5 FTE staff years within the program support category during the 1975-77 biennium.

(b) \$125,244 and 12.0 FTE staff years shall be utilized to expand institutional program support staff levels.

**NEW SECTION. Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE VETERANS' SERVICE PROGRAM**

**(1) COMMUNITY SERVICES.**

General Fund Appropriation—State .....	\$ 1,158,074
Total Appropriation .....	\$ 1,158,074

The appropriation contained in this subsection shall be subject to the following conditions and limitations:

(a) The department shall expend not more than 30.0 FTE staff years within the community services category during the 1975-77 biennium.

(b) It is the intent of the legislature that the department continue four state offices and shall continue its present program of service provision through both state and contract offices at least at the current level of operation.

**(2) INSTITUTIONAL REHABILITATIVE SERVICES.**

General Fund Appropriation—State .....	\$ 3,462,329
General Fund Appropriation—Local .....	\$ 675,790
Total Appropriation .....	\$ 4,138,119

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

(a) The department shall expend not more than 332.1 FTE staff years within the institutional rehabilitative services category during the 1975-77 biennium.

(b) \$773,429 and additional staff not to exceed 45.4 FTE's shall be expended to upgrade the veteran homes nursing components to skilled nursing home status.

(c) \$45,000 shall be expended in the purchase of equipment.

(d) \$50,943 and 6.0 FTE staff years shall be expended to provide support services formerly paid for by the residents' welfare fund.

(e) It is the intent of the legislature that the department of social and health services shall not phase out domiciliary care in the Veterans' Home at Retsil and the Soldiers' Home and Colony

at Orting. Nothing in this condition shall preclude the department from moving residents between nursing and domiciliary care in order to better utilize facilities.

- (f) The department of social and health services shall promulgate rules and regulations pursuant to chapter 34.04 RCW not later than October 1, 1975, which shall define eligibility standards for membership in the Washington Veterans' and Soldiers' homes. Such rules and regulations shall include a definition of "allowable income". The allowable income of members accepted for membership shall not be decreased below \$140.00 per month during periods that such members are being provided care.

All income of members of the Veterans' Home in excess of allowable income shall be deposited in the Veterans' Home Revolving Fund which is hereby created. Disbursements from the revolving fund shall be for the welfare and benefit of all members of the Veterans' Home and such disbursements shall be on authorization of the superintendent of the home or his duly authorized representative after approval has been received from a duly constituted body representative of the members. In order to maintain an effective expenditure and revenue control the Veterans' Home Revolving Fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures from such fund.

All income of members of the Soldiers' Home in excess of allowable income shall be deposited in the Soldiers' Home Revolving Fund which is hereby created. Disbursements from the revolving fund shall be for the welfare and benefit of all members of the Soldiers' Home and such disbursements shall be on authorization of the superintendent of the home or his duly authorized representative after approval has been received from a duly constituted body representative of the members. In order to maintain an effective expenditure and revenue control the Soldiers' Home Revolving Fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures from such fund.

(3) PROGRAM SUPPORT.

General Fund Appropriation—State .....	\$ 4,583,186
Total Appropriation .....	\$ 4,583,186

The appropriation contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 300.9 FTE staff years within the program support category during the 1975-77 biennium.
- (b) \$62,303 and additional staff not to exceed 4.0 FTE's shall be expended to provide additional guardianship services.
- (c) \$98,511 and 7.3 FTE staff years shall be expended to provide support services formerly paid for by the residents' welfare fund.
- (d) \$70,259 shall be expended in the purchase of equipment and inventories.

**NEW SECTION. Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE INCOME MAINTENANCE PROGRAM**  
(1) MAINTENANCE GRANTS.

General Fund Appropriation—State .....	\$ 174,588,501
General Fund Appropriation—Federal .....	\$ 150,087,199
Total Appropriation .....	\$ 324,675,700

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) It is the intent of the legislature that \$48,709,432 (including \$15,661,413 from federal funds) shall be utilized for the purpose of upgrading maintenance grant standards by ten percent for the 1975-77 biennium.
- (b) The department shall develop revised program standards for continuing general assistance after first developing adequate caseload profile information including, but not limited to:
  - (i) Medical determination of physical or mental disabilities;
  - (ii) Stringent eligibility criteria associated with emotional, alcoholism, or drug connected cases;
  - (iii) Adequate evaluation of treatment programs; and
  - (iv) An approval process for such treatment programs.

In addition, the department shall submit such proposed revised standards, with control systems and cost estimates to the standing ways and means committees and the office of program planning and fiscal management, together with substantiating data relating actual versus estimated caseloads, no later than December 1, 1975.

- (c) Monthly reporting of earned income and twice monthly payments to grant recipients shall be implemented. The twice monthly grant payments shall be implemented on a phased basis.
- (d) In order to provide a partial solution to the pending issues inherent in the continuing general assistance grant caseloads, it is the intent of the legislature that the department make all possible efforts to transfer up to 600 general assistance grant recipients to the CETA programs.
- (e) \$1,620,366 shall be expended to continue the provision of general assistance to needy unemployment compensation recipients.

(2) INTERMEDIATE CARE FACILITIES.

General Fund Appropriation—State .....	\$ 12,284,937
General Fund Appropriation—Federal .....	\$ 13,743,056
Total Appropriation .....	\$ 26,027,993



The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) \$15,365,628 (including \$8,153,002 from federal funds) shall be expended in the screening and transfer of SNF patients to intermediate care facilities.
- (b) It is the intent of the legislature that the department shall exercise all administrative alternatives and every effort shall be made in state-supported nursing home care programs to preclude the move of a patient from a skilled nursing facility to an intermediate care facility unless an intermediate care facility is available in the community where such patient presently resides.
- (c) \$1,623,281 (including \$828,425 from federal funds) shall be utilized for an inflationary increase to ICF vendor rates.

(3) OTHER ASSISTANCE.

General Fund Appropriation—State .....	\$ 4,607,158
General Fund Appropriation—Federal .....	\$ 164,105
Total Appropriation .....	\$ 4,771,263

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 85.1 FTE staff years within the other assistance category during the 1975-77 biennium.
- (b) \$328,309 and 47.5 FTE's shall be utilized for additional food stamp sales clerks.
- (c) \$255,684 shall be utilized for inflationary increases in burial vendor rates.
- (d) \$497,121 shall be expended for increased food stamp expenses resulting from the implementation of twice monthly grant payments.

(4) ELIGIBILITY DETERMINATION.

General Fund Appropriation—State .....	\$ 9,292,915
General Fund Appropriation—Federal .....	\$ 16,957,399
Total Appropriation .....	\$ 26,250,314

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 1,816.1 FTE staff years within the eligibility determination category during the 1975-77 biennium.
- (b) \$1,069,676 (including \$400,380 from federal funds) and 95.0 FTE's shall be utilized for twice monthly grant payment support in local offices.
- (c) \$344,665 (including \$129,007 from federal funds) and 30.6 FTE's shall be utilized for monthly reporting of earned income at local offices.
- (d) \$433,395 and 19.0 FTE's shall be utilized in examination of general assistance medical applicants to determine categorical relationship to SSI.
- (e) \$388,209 from federal funds and 13.2 FTE staff years shall be utilized for workload increases in the disability insurance section.

(5) SPECIAL PROJECTS.

General Fund Appropriation—Federal .....	\$ 13,354,317
Total Appropriation .....	\$ 13,354,317

(6) PROGRAM SUPPORT.

General Fund Appropriation—State .....	\$ 13,714,758
General Fund Appropriation—Federal .....	\$ 7,748,574
Total Appropriation .....	\$ 21,463,332

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 1,399.2 FTE staff years within the program support category during the 1975-77 biennium.
- (b) \$58,502 (including \$20,148 from federal funds) and a staffing level not to exceed 5.7 FTE's shall be expended for staffing at the Puyallup office.
- (c) \$566,310 (including \$195,034 from federal funds) and 43.4 FTE's shall be utilized for clerical support and postage for twice monthly grant payments.
- (d) \$140,107 (including \$48,252 from federal funds) and 14.0 FTE's shall be utilized for clerical support for the monthly reporting of earned income.

**NEW SECTION. Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR COMMUNITY SOCIAL SERVICES PROGRAM**

Not later than October 1, 1976, the department shall report to the standing ways and means committees and the social and health services committees the following information relating to the retained community social services: The type of service and each local office rendering such service; determination of the clientele for each type of service; the total number of persons referred for services for each type of service; and the total number of persons receiving services for each type of service offered.

Priority utilization of homemakers shall be made when such service is related to employment of a grant recipient or to retention of an individual in a home environment.

(1) FAMILY AND CHILDREN SERVICES.

General Fund Appropriation—State .....	\$ 35,884,666
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General Fund Appropriation—Federal .....	\$	45,011,856
General Fund Appropriation—Local .....	\$	500,000
Total Appropriation .....	\$	81,396,522

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 2,002.6 FTE staff years within the family and children services category during the 1975-77 biennium.
- (b) The department shall retain its volunteer coordinators at 40 FTE's during the 1975-77 biennium.
- (c) \$1,580,183 (including \$1,097,912 from federal funds) and a staffing level of 168.0 FTE's shall be utilized to expand Homemaker Services.
- (d) \$1,465,201 (including \$166,536 from federal funds) shall be utilized for child care services.
- (e) An additional \$859,409 (including \$597,117 from federal funds) and a staffing level not to exceed 48.0 FTE's shall be expended for increased childrens protective services.
- (f) \$6,694,762 (including \$3,156,396 from federal funds) shall be expended for increased vendor rates.
- (g) \$1,316,939 (including \$1,185,245 from federal funds) shall be expended for increased family planning services.

(2) ADULT SERVICES.

General Fund Appropriation—State .....	\$	2,050,273
General Fund Appropriation—Federal .....	\$	13,564,361
Total Appropriation .....	\$	15,614,634

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 517.2 FTE staff years within the adult services category during the 1975-77 biennium.
- (b) \$294,458 (including \$204,589 from federal funds) and a staffing level of 36.0 FTE's shall be utilized to expand Homemaker Services.

(3) SPECIAL PROJECTS.

General Fund Appropriation—Federal .....	\$	390,684
Total Appropriation .....	\$	390,684

The appropriation contained in this section shall be subject to the following condition or limitation: \$390,684 of federal funds and a staffing level not to exceed 6.0 FTE's shall be expended to implement the senior companion program as a special project. Not later than October 1, 1976, the department shall report the progress of such project to the standing ways and means committees and the social and health services committees.

(4) PROGRAM SUPPORT.

General Fund Appropriation—State .....	\$	3,916,492
General Fund Appropriation—Federal .....	\$	10,716,377
Total Appropriation .....	\$	14,632,869

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 609.1 FTE staff years within the program support category during the 1975-77 biennium.
- (b) An additional \$168,047 (including \$120,993 from federal funds) and a staffing level not to exceed 24.0 FTE's shall be expended for increased protective child services.
- (c) 8.3 FTE staff years and not more than \$85,753 (including \$62,275 from federal funds) shall be expended for staffing at the Puyallup local office.

NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

FOR THE MEDICAL ASSISTANCE PROGRAM

(1) GENERAL MEDICAL ASSISTANCE.

General Fund Appropriation—State .....	\$	195,616,993
General Fund Appropriation—Federal .....	\$	196,553,001
Total Appropriation .....	\$	392,169,994

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) \$6,593,274 (including \$2,799,355 from federal funds) may be expended for caseload increases in medical assistance grants.
- (b) \$33,416,041 (including \$16,661,392 from federal funds) shall be expended for vendor rate adjustments for inflation.
- (c) \$2,133,560 (including \$1,133,560 from federal funds) may be expended for expansion of the early periodic screening, detection, and treatment program for children.
- (d) The department shall continue the hospital length of stay at the seventy-fifth percentile of the national professional activity survey (PAS) standards.

- (e) The department of social and health services shall develop a plan for expanding the enrollment of medical assistance recipients in health maintenance organizations (HMO's). Health maintenance organizations shall be defined as any organization which provides comprehensive health care services directly to enrolled participants of such organization on a group practice per capita prepayment basis. The plan to be developed shall include a pilot project to provide for an expanded enrollment of medical assistance recipients in health maintenance organizations in four counties, consisting of Snohomish, King, Pierce, and Thurston. The goal will be to increase enrollment by at least 10,000 additional medical assistance recipients during the 1975-77 biennium.

**(2) PREVENTION OF BLINDNESS ASSISTANCE.**

General Fund Appropriation—State .....	\$ 926,364
General Fund Appropriation—Federal .....	\$ 902,991
Total Appropriation .....	\$ 1,829,355

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 5.2 FTE staff years within the prevention of blindness assistance category during the 1975-77 biennium.
- (b) \$93,006 (including \$45,461 from federal funds) shall be expended for standards and vendor rate increases.

**(3) ELIGIBILITY DETERMINATION.**

General Fund Appropriation—State .....	\$ 2,713,594
General Fund Appropriation—Federal .....	\$ 2,604,368
Total Appropriation .....	\$ 5,317,962

The appropriations contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 469.5 FTE staff years within the eligibility determination category during the 1975-77 biennium.

**(4) PROGRAM SUPPORT.**

General Fund Appropriation—State .....	\$ 6,161,051
General Fund Appropriation—Federal .....	\$ 10,156,531
Total Appropriation .....	\$ 16,317,582

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 627.0 FTE staff years within the program support category during the 1975-77 biennium.
- (b) The department is authorized to enter into a contract for mechanized medicaid payment process (Title XIX) by the expenditure of up to \$5,853,000 (including \$4,389,750 from federal funds).
- (c) \$20,014 (including \$10,920 from federal funds) and 2.0 FTE's shall be expended for the Puyallup local office administration and clinical support.

**NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE PUBLIC HEALTH PROGRAM**

**(1) HEALTH FACILITIES DEVELOPMENT AND REGULATION.**

General Fund Appropriation—State .....	\$ 1,894,512
General Fund Appropriation—Federal .....	\$ 2,359,306
Total Appropriation .....	\$ 4,253,818

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 186.0 FTE staff years within the health facilities development and regulation category during the 1975-77 biennium.
- (b) \$187,364 (including \$140,525 from federal funds) and an additional staffing level not to exceed 13.0 FTE's shall be expended in the expansion of licensing and certification.

**(2) ENVIRONMENTAL HEALTH IMPROVEMENT.**

General Fund Appropriation—State .....	\$ 2,211,172
General Fund Appropriation—Federal .....	\$ 528,435
Total Appropriation .....	\$ 2,739,607

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 176.8 FTE staff years within the environmental health improvement category during the 1975-77 biennium.
- (b) \$29,576 and a staffing level not to exceed 2.0 FTE's shall be expended for transient accommodation inspection and pesticide laboratory.

**(3) COMMUNITY HEALTH IMPROVEMENT.**

General Fund Appropriation—State .....	\$ 6,994,392
General Fund Appropriation—Federal .....	\$ 12,654,461
Total Appropriation .....	\$ 19,648,853

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 190.0 FTE staff years within the community health improvement category during the 1975-77 biennium.
- (b) \$141,640 from federal funds and a staffing level not to exceed 6.0 FTE's shall be expended for workload increases in maternal child health services.
- (c) \$300,000 shall be expended for additional grants to counties for immunization supplies.
- (d) \$1,396,000 (including \$976,955 from federal funds) shall be expended for added services in maternal and child health programs.

(4) LOCAL HEALTH PROGRAM DEVELOPMENT.

General Fund Appropriation—State .....	\$	264,706
General Fund Appropriation—Federal .....	\$	2,425,000
Total Appropriation .....	\$	2,689,706

The appropriations contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 36.0 FTE staff years within the local health program development category during the 1975-77 biennium.

(5) SPECIAL PROJECTS.

General Fund Appropriation—Federal .....	\$	18,001,726
Total Appropriation .....	\$	18,001,726

The appropriation contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 49.0 FTE staff years within the special projects category during the 1975-77 biennium.
- (b) \$15,357 and 1.0 FTE shall be expended to conduct a special project on woodworking industry mortality.

(6) PROGRAM SUPPORT.

General Fund Appropriation—State .....	\$	2,960,390
General Fund Appropriation—Federal .....	\$	339,022
Total Appropriation .....	\$	3,299,412

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 181.0 FTE staff years within the program support category during the 1975-77 biennium.
- (b) \$145,290 and a staffing level not to exceed 9.0 FTE's shall be expended for workload increases in vital statistics and laboratory services.

**NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR THE VOCATIONAL REHABILITATION PROGRAM**

(1) REHABILITATION SERVICES—GENERAL.

General Fund Appropriation—State .....	\$	1,534,771
General Fund Appropriation—Federal .....	\$	23,767,707
Total Appropriation .....	\$	25,302,478

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 577.9 FTE staff years within the rehabilitation services—general category during the 1975-77 biennium.
- (b) \$1,501,386 (including \$1,410,316 from federal funds) shall be expended for increased client training services.

(2) REHABILITATION FACILITIES AND SHELTERED WORKSHOPS.

General Fund Appropriation—State .....	\$	1,574,810
General Fund Appropriation—Federal .....	\$	6,404,607
General Fund Appropriation—Local .....	\$	964,440
Total Appropriation .....	\$	8,943,857

The appropriations contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 36.8 FTE staff years within the rehabilitation facilities and sheltered workshops category during the 1975-77 biennium.

(3) REHABILITATIVE SERVICES FOR THE BLIND.

General Fund Appropriation—State .....	\$	718,415
General Fund Appropriation—Federal .....	\$	2,909,346
Total Appropriation .....	\$	3,627,761

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 90.8 FTE staff years within the rehabilitative services for the blind category during the 1975-77 biennium.

(b) Not less than \$474,000 (including \$270,000 from federal funds) shall be expended for services to the blind and physically handicapped by reimbursing the state library for providing such services.

**(4) SPECIAL PROJECTS.**

General Fund Appropriation—State .....	\$	336,850
General Fund Appropriation—Federal .....	\$	2,806,666
Total Appropriation .....	\$	3,143,516

The appropriations contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 20.0 FTE staff years within the special projects category during the 1975-77 biennium.

**(5) PROGRAM SUPPORT.**

General Fund Appropriation—State .....	\$	199,726
General Fund Appropriation—Federal .....	\$	798,907
Total Appropriation .....	\$	998,633

The appropriations contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 32.0 FTE staff years within the program support category during the 1975-77 biennium.

**NEW SECTION. Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
FOR ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

**(1) GENERAL ADMINISTRATION.**

General Fund Appropriation—State .....	\$	5,082,245
General Fund Appropriation—Federal .....	\$	3,181,567
Total Appropriation .....	\$	8,263,812

The appropriations contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 335.0 FTE staff years within the general administration category during the 1975-77 biennium.

**(2) PERSONNEL.**

General Fund Appropriation—State .....	\$	1,868,179
General Fund Appropriation—Federal .....	\$	1,169,509
Total Appropriation .....	\$	3,037,688

The appropriations contained in this section shall be subject to the following condition or limitations: The department shall expend not more than 150.0 FTE staff years within the personnel category during the 1975-77 biennium.

**(3) INFORMATION SYSTEMS.**

General Fund Appropriation—State .....	\$	6,713,530
General Fund Appropriation—Federal .....	\$	4,179,205
Total Appropriation .....	\$	10,892,735

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- The department shall expend not more than 570.0 FTE staff years within the information systems category during the 1975-77 biennium.
- \$562,073 (including \$224,829 from federal funds) and a staffing level not to exceed 30.0 FTE's shall be expended to upgrade information systems.
- \$343,774 (including \$137,510 from federal funds) and a staffing level not to exceed 30.0 FTE staff years shall be expended for workload increases.
- \$413,530 (including \$165,413 from federal funds) shall be expended for twice-monthly payments.

**(4) COLLECTIONS AND DISBURSEMENTS.**

General Fund Appropriation—State .....	\$	4,855,873
General Fund Appropriation—Federal .....	\$	3,257,739
Total Appropriation .....	\$	8,113,612

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- The department shall expend not more than 569.1 FTE staff years within the collections and disbursements category during the 1975-77 biennium.
- \$672,151 (including \$268,861 from federal funds) and a staffing level not to exceed 52.6 FTE's shall be expended for increased workload.
- \$358,673 (including \$143,470 from federal funds) and 28.5 FTE's shall be utilized for increased non-assistance support collection.

**(5) OPERATING AND FISCAL AUDIT SERVICES.**

General Fund Appropriation—State .....	\$	4,444,599
General Fund Appropriation—Federal .....	\$	2,772,214
Total Appropriation .....	\$	7,216,813

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 386.0 FTE staff years within the operating and fiscal audit services category during the 1975-77 biennium.
- (b) \$678,362 (including \$261,169 from federal funds) and a staffing level not to exceed 36.0 FTE's shall be expended for increased nursing home auditors.
- (c) \$705,478 (including \$271,609 from federal funds) and a staffing level not to exceed 28.0 FTE's shall be expended for increased performance and fiscal audit teams.
- (d) \$272,466 (including \$108,987 from federal funds) and a staffing level not to exceed 18.0 FTE's shall be expended for increased fraud investigators.
- (e) \$205,980 (including \$82,392 from federal funds) and 12.0 FTE's shall be utilized for increased operational review.
- (f) \$349,805 (including \$139,922 from federal funds) and 18.0 FTE's shall be expended for increased audit staff.

(6) FISCAL SERVICES.

General Fund Appropriation—State .....	\$	4,341,996
General Fund Appropriation—Federal .....	\$	2,711,199
Total Appropriation .....	\$	7,053,195

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 479.8 FTE staff years within the fiscal services category during the 1975-77 biennium.
- (b) \$429,650 and 28.0 FTE staff years (including \$171,860 from federal funds) shall be expended for increased accounting workload.

(7) SPECIAL PROJECTS.

General Fund Appropriation—Federal .....	\$	6,611,187
Total Appropriation .....	\$	6,611,187

The appropriation contained in this subsection shall be subject to the following condition or limitation: The department shall expend not more than 65.0 FTE staff years within the special projects category during the 1975-77 biennium.

(8) PROGRAM SUPPORT.

General Fund Appropriation—State .....	\$	5,586,473
General Fund Appropriation—Federal .....	\$	3,701,822
Total Appropriation .....	\$	9,288,295

The appropriations contained in this subsection shall be subject to the following conditions and limitations:

- (a) The department shall expend not more than 455.8 FTE staff years within the program support category during the 1975-77 biennium.
- (b) \$424,975 (including \$163,615 from federal funds) and a staffing level not to exceed 16.0 FTE's shall be expended for industrial engineers.
- (c) \$315,577 (including \$126,231 from federal funds) and 19.0 FTE's shall be expended for increased quality control in SSI and Title XIX and for standard setting and program analysis.
- (d) \$764,940 (including \$430,211 from federal funds) and 48.8 FTE's shall be expended for augmenting productivity efforts.
- (e) \$171,176 (including \$68,470 from federal funds) shall be expended for twice-monthly payment support.

**NEW SECTION. Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CONTINGENCY FUNDS.**

It is the intent of the legislature that the appropriations contained within this section shall be for the described purposes but shall not be expended or encumbered without the specific approval of the legislative budget committee or its statutory successor.

(1) FOR THE ADULT CORRECTIONS PROGRAM.

General Fund Appropriation—State .....	\$	250,000
General Fund Appropriation—Federal .....	\$	750,000
Total Appropriation .....	\$	1,000,000

It is the intent of the legislature that the expenditure of funds appropriated by this subsection shall be for the purpose of developing detailed and comprehensive plans for a department of social and health services adult corrections program delineating, but not limited to, at least the following factors of a "community-based corrections system" for adult offenders:

- (a) Detailed plans for the development and phased implementation of an improved classification system that will demonstrate substantial improvements over the present classification system as it relates to the rehabilitation of adult offenders and comprehensive evaluation of public risks and public attitudes regarding plan concepts and location plans involved in the placement of such offenders in the various kinds of correctional facilities and programs envisioned for the new or improved rehabilitation systems to be proposed;
- (b) Comprehensive plans illustrating the physical and operational aspects of new or improved correctional facilities involved in the proposed new correctional system;
- (c) Plans for the utilization, improvement, or deactivation of existing correctional facilities;

- (d) Specific details concerning improvement of or changes in custody, counseling, vocational, educational, work-release, probation and parole or other existing or new rehabilitation programs that will be included in the new correctional system; and
- (e) Time-phasing and costs and program benefit evaluation of the above or other components of the system plan.

A segment on "Community Participation: Plans, Policy, and Procedures" is to be included in the report. The department shall describe in a detailed manner the procedures and steps to be used to insure that community participation will be included as a special process in the development of a community based corrections program. The methodology of participation shall assure the legislature that community involvement and acceptance will be an integral part of proposed community based correction centers.

The legislature recognizes the need to improve the adult corrections program so that offenders against the society of our state can be returned to society as productive and compatible members of that society. While the benefits of such improvements are apparent, the risks and costs of such improvements must be clearly defined and understood as a responsibility of the legislature to the nonoffender public.

The department of social and health services shall formulate a proposal to develop a systems plan to include the items outlined in this section and shall present its recommendations to the legislative budget committee or its statutory successor for approval no later than September 1, 1975, and prior to the release of funds appropriated in this section.

**(2) MENTAL HEALTH PROGRAM—COMMUNITY REHABILITATIVE SERVICES.**

General Fund Appropriation—State .....	\$ 629,693
General Fund Appropriation—Federal .....	3,222,682
Total Appropriation .....	\$ 3,852,375

The department shall develop a standards program for community mental health organizations receiving any state funds that shall include, but not be limited to, treatment criteria, client and treatment priorities, eligibility criteria, program and account definitions, a client cost sharing formula, and a six year program plan. The standards program shall be submitted to the legislative budget committee or its statutory successor for review and approval prior to release of any amount of the funds appropriated by this subsection for grant increases.

It is the intent of the legislature that to the maximum extent possible, the mental health programs provided by the community mental health organizations, whether funded pursuant to this section or any other section of this budget or from any other source whatever, shall be controlled and developed by the local organizations and that the department of social and health services shall assume no more control or direction over such programs that are provided for by statutes or are contained in this act.

**(3) DEVELOPMENTAL DISABILITIES PROGRAM—COMMUNITY SERVICES.**

General Fund Appropriation—State .....	\$ 3,199,424
Total Appropriation .....	\$ 3,199,424

The department shall develop a standards program for group homes and developmental centers including, but not limited to, the various aspects of treatment, facilities criteria, other components of care and rehabilitative programs, and a six year program plan. The standards program shall be submitted to the legislative budget committee or its statutory successor for review and approval prior to release of any amount of the funds appropriated by this subsection for grant increases.

**(4) INCOME MAINTENANCE—CASELOAD CONTROL.**

General Fund Appropriation—State .....	\$ 7,573,198
General Fund Appropriation—Federal .....	7,154,326
Total Appropriation .....	\$ 14,727,524

The department shall develop a program to regularly monitor productivity and performance of staff and procedures related to eligibility determination and program performance measurements. This program shall include but not be limited to, a management information system that provides early visibility of caseload changes and related eligibility activity, vendor performance, and procedures and policies for management decision and response. The department shall submit its management plan to the legislative budget committee or its statutory successor for approval prior to the release of any amount of the funds appropriated by this subsection or utilization of FTE staff years authorized by this subsection. The legislative budget committee or its statutory successor may approve not more than 114.7 FTE staff years to carry out the provisions of this subsection.

**(5) INCOME MAINTENANCE—MAINTENANCE GRANTS.**

General Fund Appropriation—State .....	\$ 1,105,982
General Fund Appropriation—Federal .....	242,159
Total Appropriation .....	\$ 1,348,141

It is the intent of the legislature that the expenditure of funds appropriated by this subsection shall only be permitted if:

- (a) The projected reductions in caseload resulting from improvement in SSI procedures is not realized; and
- (b) Approval for release of any portion of funds appropriated by this subsection is received from the legislative budget committee or its statutory successor.

**(6) COMMUNITY SOCIAL SERVICES—CASELOAD CONTROL.**

General Fund Appropriation—State .....	\$ 1,535,436
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General Fund Appropriation—Federal .....	\$	1,321,047
Total Appropriation .....	\$	2,856,483

The department shall develop a program to regularly monitor productivity and performance of staff and procedures related to eligibility determination and program performance measurements. This program shall include, but not be limited to, a management information system that provides early visibility of caseload changes and related eligibility activity, vendor performance, and procedures and policies for management decision and response. The department shall submit its management plan to the legislative budget committee or its statutory successor for approval prior to the release of any amount of the funds appropriated by this subsection.

(7) COMMUNITY SOCIAL SERVICES—FAMILY AND CHILDREN SERVICES.

General Fund Appropriation—State .....	\$	1,228,865
General Fund Appropriation—Federal .....	\$	191,123
Total Appropriation .....	\$	1,419,988

It is the intent of the legislature that the expenditure of funds appropriated by this subsection shall be permitted only if:

(a) The actual experience of the department in realizing projected reductions in foster care caseload necessitates such expenditure; and

(b) Approval for release of any portion of funds appropriated by this subsection is received from the legislative budget committee or its statutory successor.

(8) MEDICAL ASSISTANCE—CASELOAD CONTROL.

General Fund Appropriation—State .....	\$	10,210,382
General Fund Appropriation—Federal .....	\$	10,259,336
Total Appropriation .....	\$	20,469,718

The department shall develop a program to regularly monitor productivity and performance of staff and procedures related to eligibility determination and program performance measurements. This program shall include, but not be limited to, a management information system that provides early visibility of caseload changes and related eligibility activity, vendor performance, and procedures and policies for management decision and response. Additionally, the department shall develop a component of its management plan that will include comprehensive utilization review procedures and regular performance auditing of all vendors. The department shall submit its management plan to the legislative budget committee or its statutory successor for approval prior to the release of any amount of the funds appropriated by this subsection or utilization of FTE staff years authorized by this subsection. The legislative budget committee or its statutory successor may approve not more than 46.7 FTE staff years to carry out the provisions of this subsection.

(9) VOCATIONAL REHABILITATION PROGRAM.

General Fund Appropriation—State .....	\$	844,440
Total Appropriation .....	\$	844,440

The department shall submit to the legislative budget committee or its statutory successor a complete description of its efforts to secure maximum local funds, including in-kind matching funds and, if local funds are not sufficient, the reasons for such insufficiency, prior to the release of any amount of the funds appropriated by this subsection. Of the appropriation contained in this subsection not more than \$250,000 may be expended for the support of general rehabilitation services and not more than \$594,440 may be expended for the support of rehabilitation facilities and sheltered workshops.

(10) ADMINISTRATION AND SUPPORTING SERVICES.

General Fund Appropriation—State .....	\$	6,000,000
General Fund Appropriation—Federal .....	\$	6,000,000
Total Appropriation .....	\$	12,000,000

It is the intent of the legislature that the expenditure of funds appropriated by this subsection shall only be permitted if:

(a) Demonstrable efforts are made to control expenditures within a program—category to amounts appropriated; and

(b) Alternatives to the expenditure of funds appropriated by this subsection are considered and presented.

(c) Funds are to be expended for current programs including community mental health programs;

(d) Approval for release of any portion of funds appropriated by this subsection is received from the legislative budget committee or its statutory successor.

**NEW SECTION. Sec. 62A. DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS**

General Fund Reappropriation—State .....	\$	6,989,000
General Fund Reappropriation—Federal .....	\$	350,952
Total Reappropriation .....	\$	7,339,952

The reappropriations contained in this section shall be subject to the following conditions and limitations:



(1) \$6,477,000 shall be for medical services and supplies not in excess of the unexpended balance of the 1973-75 appropriations or allotments for this purpose. Within this amount, the following programs shall be included:

- (a) Mental health, \$175,000;
- (b) Income Maintenance, \$2,000;
- (c) Community social services, \$300,000; and
- (d) Medical assistance, \$6,000,000.

(2) \$512,000 shall be for grants to communities for mental retardation construction grants from the developmental disabilities program not in excess of the unexpended balance of the 1973-75 appropriations or allotments for this purpose.

(3) \$350,952 from federal funds shall be for innovation and expansion projects in the vocational rehabilitation program not in excess of the unexpended balance of the 1973-75 appropriation or allotments for this purpose.

**NEW SECTION. Sec. 63. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State .....	\$ 5,412,059
General Fund Appropriation—Federal .....	\$ 122,715,237
Total Appropriation .....	\$ 128,127,296

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Whenever the planning and community affairs agency receives anticipated federal grants which exceed the amount intended for a specific activity by more than fifty thousand dollars or increases the FTE staff years related thereto, then the agency shall not expend such amounts without review by and prior approval of the legislative budget committee.

(2) Whenever the planning and community affairs agency receives federal grants which have not been included in the appropriations contained in this section, then the agency shall not expend such amounts without review by and prior approval of the legislative budget committee.

(3) It is the intent of the legislature that state funds which are appropriated for the specific purpose of matching a federal grant and which are not used for that purpose shall be reverted at the end of the biennium.

(4) Not later than August 15, 1976, the agency shall transmit a list to the standing ways and means committees of all federal moneys received, including unanticipated receipts so noted, as of July 1, 1975, by agency program, category, and organizational unit which list shall include the following information:

- (a) The granting federal agency;
- (b) A brief description and federal reference number, if applicable;
- (c) The specific amount of money received and the purpose for which it is intended;
- (d) The matching requirements; and
- (e) The limiting factors, if any.

Monthly revisions to the list required by this subsection, including unanticipated receipts, shall be provided in the same manner as the original list for the remainder of the fiscal biennium.

(5) Not more than \$1,507,912 (including \$523,245 from federal funds) shall be expended for the administration and support services program.

(6) Not more than \$6,049,511 (including \$5,518,462 from federal funds) shall be expended for the community planning program.

(7) Not more than \$120,569,873 (including \$116,673,530 from federal funds) shall be expended for the human resources planning program.

(8) It is the intent of the legislature that the office of voluntary action shall present a detailed report of its planned activities and its estimated accomplishments during the 1975-77 biennium to the standing ways and means committees on or before January 1, 1976.

(9) It is the intent of the legislature that funds from the appropriations contained in this section shall not be expended to provide for toll-free telephone services.

**NEW SECTION. Sec. 64. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State .....	\$ 1,508,984
General Fund Appropriation—Federal .....	\$ 82,000
General Fund Appropriation—Local .....	\$ 96,000
Total Appropriation .....	\$ 1,686,984

**NEW SECTION. Sec. 65. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

Accident Fund Appropriation .....	\$ 988,318
Medical Aid Fund Appropriation .....	\$ 988,317
Total Appropriation .....	\$ 1,976,635

**NEW SECTION. Sec. 66. FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund Appropriation—State .....	\$ 394,449
General Fund Appropriation—Federal .....	\$ 2,281,666
Total Appropriation .....	\$ 2,676,115

**NEW SECTION. Sec. 67. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State .....	\$ 5,396,030
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General Fund Appropriation—Federal .....	\$ 60,000
Accident Fund Appropriation .....	\$ 18,457,844
Medical Aid Fund Appropriation .....	\$ 16,577,497
Plumbing Certificate Fund Appropriation .....	\$ 74,100
Electrical License Account Appropriation .....	\$ 3,035,849
Total Appropriation .....	\$ 43,601,320

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) It is the intent of the legislature that not more than \$1,200,000 shall be expended for the Automated Records Management System (ARMS) under the Industrial Insurance Program, and that the department shall abolish sixty-five positions in the Industrial Insurance Program not later than January 30, 1977, as the result of such implementation of ARMS.

(2) \$786,669 of the general fund appropriation shall be expended, pursuant to chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.160, for the payment of claims to provide relief for victims of criminal acts committed between January 1, 1972, and July 1, 1974. Of such amount, \$118,408 shall be for administrative and appeals costs based upon the enactment of chapter ..., Laws of 1975 1st ex. sess. (SB 2070).

(3) Upon the enactment of chapter ..., Laws of 1975 1st ex. sess. (ESSB 2408), \$315,743 of the general fund appropriation—state moneys shall be transferred from the department of labor and industries to the public employment relations commission created by such chapter.

**NEW SECTION. Sec. 68. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

General Fund—Puget Sound Pilotage Account Appropriation .....	\$ 15,490
Total Appropriation .....	\$ 15,490

**NEW SECTION. Sec. 69. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation .....	\$ 1,213,444
Total Appropriation .....	\$ 1,213,444

**NEW SECTION. Sec. 70. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation .....	\$ 517,554
Total Appropriation .....	\$ 517,554

**NEW SECTION. Sec. 71. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund Appropriation—State .....	\$ 2,037,772
General Fund Appropriation—Federal .....	\$ 43,786,684
Unemployment Compensation Administration Fund Appropriation—Federal .....	\$ 61,979,210
Administrative Contingency Fund Appropriation .....	\$ 200,000
Total Appropriation .....	\$ 108,003,666

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$40,000 of general fund—federal appropriation shall be utilized for services of an additional assistant attorney general.

(2) \$1,000,000 of the state general fund appropriation shall be expended for continuation during the period from July 1, 1975, to June 30, 1976, of the Program for Local Services in which full time, stipended volunteers shall spend one year in service to local government agencies and private, nonprofit corporations. The program shall provide recruitment, placement, training, and support of volunteers in nonstaff activities which focus on human, social, and environmental services. A report on the placement of volunteers under this program shall be provided to the legislature not later than January 15, 1976. Federal funds shall be expended in lieu of state funds if such federal funds become available for this program.

(3) \$500,000 of the unemployment compensation administration fund appropriation—federal contained in this section shall be expended by the department under the direction of the commissioner of the employment security department for the purpose of paying for rents and premises of the employment security department and for the purpose of paying the legally authorized and required salaries and fringe benefits to the employees of the employment security department, in the event and to the extent that the United States or its agents fail or refuse to supply sufficient current obligational authority to make such payments to provide needed facilities necessary to carry out the activities of the employment security department of the state of Washington. The amount appropriated pursuant to this subsection during any twelve-month period beginning on July 1, 1975, and ending June 30, 1976, shall not exceed the amount by which (a) the aggregate of the amount credited to the account of this state pursuant to section 903 of the Social Security Act during such twelve-month period and the twenty-four preceding twelve-month periods exceeds (b) the aggregate of the amounts obligated for the administration and paid out for benefits and charged against the amounts credited to the account of the state during such twenty-five twelve-month period.

(4) \$90,000 of the general fund appropriation—state contained in this section shall be expended for the continuation and implementation of an experimental program leading to employment of mentally retarded persons currently in activity centers, sheltered workshops, and group homes or schools for the mentally retarded. This program shall include employment preparation, diagnostic orientation and testing, academic tutoring, social adjustment, orientation to employment and employment relationships, job search and placement, and employer orientation to provide employers of the trainees with an understanding of the unique assets and limitations of the mentally retarded as they relate to employment responsibilities. The

program shall provide for financial penalties to the extent that such performance objectives are not met, and a new, competitive bid process be employed which stresses assessment of past performance by interested potential contractors.

A report on the activities and progress of this program shall be made to the standing ways and means committees no later than December 1, 1975, and December 1, 1976, including, but not limited to:

- (a) The contractors assigned;
- (b) The amount and purpose of the contract; and
- (c) A detailed description of services performed.

(5) \$175,000 of the general fund appropriation—state contained in this section shall be expended for the continuation and further development of a program for the delivery of specialized employment services to persons previously convicted of a felony. All offenders receiving parole stipend moneys shall actively participate in preemployment counseling and placement programs approved by the department of employment security and refusal to participate in programs authorized by this subsection shall result in termination of any post release stipend being provided to said felons. The department shall contract for the development of such a program after calling for competitive bids. Contracts awarded under this subsection shall contain performance specifications and financial penalties to the contractor in the event of nonperformance, and a new, competitive bid process be employed which stresses assessment of past performance by interested potential contractors.

A report on the activities and progress of this program shall be made to the standing ways and means committees no later than December 1, 1975, and December 1, 1976, including, but not limited to:

- (a) The contractors assigned;
- (b) The amount and purpose of the contract; and
- (c) A detailed description of services performed.

(6) \$300,000 of the general fund appropriation—state contained in this section shall be expended for continuation of an ongoing performance oriented program of moving unemployed persons to full time employment: PROVIDED FURTHER, That a new, competitive bid process be employed which stresses assessment of past performance by interested potential contractors.

A report on the activities and progress of this program shall be made to the standing ways and means committees no later than December 1, 1975, and December 1, 1976, including, but not limited to:

- (a) The contractors assigned;
- (b) The amount and purpose of the contract; and
- (c) A detailed description of services performed.

(7) \$150,000 of the general fund appropriation—state and \$600,000 of the general fund appropriation—federal contained in this section shall be expended to implement the intent of the legislature that new and innovative efforts be made to assist, through concentrated and more effective use and coordination of federal, state, and local government training and employment programs, those persons in the state of Washington who are unemployed and who, to again become productively employed, must make career changes for economic, technological, or health reasons. It is also intended that these efforts be concentrated principally toward the utilization of existing government programs and facilities and particularly the CETA programs and related programs and facilities of the departments of social and health services and employment security.

The appropriation contained in this subsection is to fund a pilot program that shall include career change centers that will provide diagnostic services, family, resource and situational counseling, supporting services, job training, and search and placement for the target population.

The department of employment security shall be responsible for contracting and management of this program and other involved state agencies shall provide program and facilities support as determined reasonable and necessary by the department of employment security.

The planning and community affairs agency shall provide to the department of employment security the necessary CETA funds required to implement this program including counties with a population of 100,000 or less.

The career change center component of this program shall be let for competitive bid to qualified private educational and manpower training agencies with the contracts to specify performance criteria and substantial financial penalties for nonperformance.

A report on the activities and progress of this program shall be made to the standing ways and means committees no later than December 1, 1975, and December 1, 1976, including, but not limited to:

- (a) The contractors assigned;
- (b) The amount and purpose of the contract; and
- (c) A detailed description of services performed.

(8) \$75,000 of the general fund appropriation—state shall be expended to implement the intent of the legislature that a program be instituted through contracts with private training schools for the delivery of training and placement services to persons applying at food banks. The contracts for services shall be based on performance criteria with significant penalties for nonperformance, and contractors shall be chosen on a competitive basis by the department of employment security. The department shall administer the program and shall report the combined results of this project as well as the prior project carried out under section 22, chapter 197, Laws of 1974 ex. sess., to the legislature in January.

**NEW SECTION. Sec. 72. FOR THE DEPARTMENT OF TRANSPORTATION**

General Fund—Public Transportation Account Appropriation .....	\$ 553,400
Total Appropriation .....	\$ 553,400

The appropriation contained in this section shall be subject to the following condition or limitation: Expenditure is contingent upon the enactment of chapter ..., Laws of 1975 1st ex. sess. (SSB 2535).

**NEW SECTION. Sec. 73. FOR THE COMPACT FOR EDUCATION**

General Fund Appropriation .....	\$	35,000
Total Appropriation .....	\$	35,000

**NEW SECTION. Sec. 74. FOR THE COUNCIL ON HIGHER EDUCATION (OR ITS STATUTORY SUCCESSOR)**

General Fund Appropriation—State .....	\$	8,602,978
General Fund Appropriation—Federal .....	\$	860,000
Total Appropriation .....	\$	9,462,978

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The council shall submit a report to the legislature and the governor not later than July 1, 1976, concerning the results of the Technological Clearinghouse and its achievements in improving the understanding of and opportunities for technological education in this state and the need for possible future funding for such purpose.

(2) \$242,000 shall be expended for the Western Interstate Commission for Higher Education and \$171,300 of such funds shall be expended to financially assist the education of Washington students enrolled in optometry programs in other western states through the WICHE student exchange program.

**NEW SECTION. Sec. 75. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	397,970
Total Appropriation .....	\$	397,970

**NEW SECTION. Sec. 76. FOR THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION**

General Fund Appropriation—State .....	\$	214,012
General Fund Appropriation—Federal .....	\$	250,000
Total Appropriation .....	\$	464,012

**NEW SECTION. Sec. 77. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State .....	\$	506,781
General Fund Appropriation—Federal .....	\$	825,000
Total Appropriation .....	\$	1,331,781

The appropriations contained in this section shall be subject to the following condition or limitation: \$127,170 of grants shall be expended for continuation of the Center for Creativity at Fort Worden.

**NEW SECTION. Sec. 78. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION**

General Fund Appropriation .....	\$	273,506
General Fund—State Capitol Historical Association Museum Account		
Appropriation .....	\$	20,000
Total Appropriation .....	\$	293,506

**NEW SECTION. Sec. 79. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	302,875
Total Appropriation .....	\$	302,875

**NEW SECTION. Sec. 80. FOR THE STATE LIBRARY**

General Fund Appropriation—State .....	\$	6,953,334
General Fund Appropriation—Federal .....	\$	960,315
General Fund Appropriation—Private .....	\$	802,000
Total Appropriation .....	\$	8,715,649

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not less than \$474,000 shall be expended for library services to the blind and handicapped by interagency reimbursement from the department of social and health services.

(2) \$10,000 shall be expended to conduct a study of the feasibility and alternatives to a library materials central storage facility for both public and academic libraries. Such study shall be coordinated by the state library with representatives from public libraries and college and university libraries and the report shall be submitted to the next regular session of the legislature.

(3) \$2,927,346 shall be expended for final development and operations of a computerized cataloging, acquisition, and circulation network system with the expansion of such system to the University of Washington and Washington State University.

(4) All work orders and deliverables in the further development of the computerized network system shall be approved by the Washington State Data Processing Authority.

(5) By January 1, 1976, a billing system for the participants' share of the cost of the computerized network system shall be established and all participants within the system and all future participants shall be billed pursuant to such billing system commencing with the first day of the next succeeding biennium.

**NEW SECTION. Sec. 81. FOR THE COORDINATING COUNCIL FOR OCCUPATIONAL EDUCATION (OR ITS STATUTORY SUCCESSOR) AND FOR THE ADVISORY COUNCIL FOR VOCATIONAL EDUCATION**

General Fund Appropriation—State .....	\$ 1,368,155
General Fund Appropriation—Federal .....	\$ 20,364,929
Total Appropriation .....	\$ 21,733,084

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The appropriations contained in this section are appropriated to the Coordinating Council for Occupational Education or, contingent on the enactment of chapter ..., Laws of 1975 1st ex. sess. (ESSB 2463), to the Commission on Vocational Education, and such commission shall be subject to the provisions of such act.

(2) It is the intent of the legislature that an examination be conducted by the office of program planning and fiscal management of the desirability and feasibility of eliminating positions not necessary for state level vocational education administration and that any such funds made available by such reduction in staff shall be allocated for support of local vocational education programs. The plan implementation for reduction of such staff shall be reported to the standing ways and means committees no later than January 1, 1976.

(3) It is the intent of the legislature that no state funds shall be expended by the Advisory Council on Vocational Education.

**NEW SECTION. Sec. 82. COMMUNITY COLLEGE EDUCATION.** The appropriations contained in sections 86 through 90 of this act shall be subject to the following conditions and limitations:

(1) The base system-wide formula funding levels included in the appropriations made in sections 86 through 90 of this act for each year of the biennium are:

- (a) Student services program—45% of formula entitlements;
- (b) Operation and maintenance program:
  - (i) 100% of formula entitlement for fixed costs; and
  - (ii) 60% of formula entitlement for variable costs;
- (c) Library services program:
  - (i) 55% of formula entitlement for staffing;
  - (ii) 52% of formula entitlement for collections in fiscal year 1976; and
  - (iii) 54% of formula entitlement for collections in fiscal year 1977;
- (d) Instruction program:
  - (i) 72% of formula entitlement for faculty staffing; and
  - (ii) 60% of formula entitlement for support staff and operations.

(2) It is the intent of the legislature that the state board for community college education shall not transfer more than 5% of the funds generated by the formula entitlements set forth in subsection (1) of this section between programs. Such transfers are subject to review and approval by the office of program planning and fiscal management. If any transfers between programs, up to the limit authorized by this subsection, are made the state board shall report the amounts and purposes of such transfers to the standing ways and means committees at the beginning of each session of the legislature.

(3) No community college may increase their 1974-75 FTE faculty positions to a level which is higher than that supported by the percent of formula funded in the appropriations made in section 90 of this act.

(4) The legislature directs that Olympia Vocational-Technical Institute shall not become a comprehensive community college and shall offer only those courses essential to vocational education.

**NEW SECTION. Sec. 83.** The funds appropriated by sections 86 through 90 of this act shall be distributed to the community college districts by the state board for community college education under the authority granted to the state board by chapter 28B.50 RCW.

**NEW SECTION. Sec. 84. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

General Fund Appropriation .....	\$ 3,422,772
Total Appropriation .....	\$ 3,422,772

The appropriation contained in this section shall be subject to the following condition or limitation: \$1,026,850 shall be expended for the maintenance and development of the management information system and such funds shall be expended only pursuant to a plan approved by the Washington state data processing authority.

**NEW SECTION. Sec. 85. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$ 17,876,642
Total Appropriation .....	\$ 17,876,642

**NEW SECTION. Sec. 86. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$ 18,947,141
Total Appropriation .....	\$ 18,947,141

The appropriation contained in this section shall be subject to the following condition or limitation: \$900,000 shall be distributed by the state board and expended for the continuation of programs for minority and disadvantaged students.

**NEW SECTION. Sec. 87. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$ 18,954,969
Total Appropriation .....	\$ 18,954,969

**NEW SECTION. Sec. 88. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE LIBRARY SERVICES PROGRAM**

General Fund Appropriation .....	\$ 8,374,158
Total Appropriation .....	\$ 8,374,158

**NEW SECTION. Sec. 89. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTRUCTION PROGRAM**

General Fund Appropriation .....	\$ 113,514,567
Total Appropriation .....	\$ 113,514,567

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$8,333,734 shall be expended for the purchase and repair of instructional equipment.
- (2) \$1,826,068 shall be expended for the small school adjustment to Whatcom, Olympia Vocational Technical Institute, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, Walla Walla, and Skagit Valley Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 72% base level for each 100 FTE students below the 2,500 enrollment level, except that no college shall be funded in excess of 87% of formula.
- (3) \$765,275 shall be expended exclusively for maintaining the current dental hygiene programs at a student faculty ratio of 7 to 1.

**NEW SECTION. Sec. 90. HIGHER EDUCATION.**

The appropriations contained in sections 92 through 147 of this act shall be subject to the following conditions and limitations:

(1) The base formula funding for the four year institutions of higher education, unless otherwise provided for in sections 92 through 147 of this act, for each year of the biennium are based in part on special nonformula items and in part on the following formula entitlements:

- (a) Student services program—75% of formula entitlement;
- (b) Plant operations and maintenance program:
  - (i) 60% of formula entitlement for variable costs; and
  - (ii) 100% of formula entitlement for fixed costs;
- (c) Instruction and departmental research—General program:
  - (i) 70% of formula entitlement for faculty staffing for the University of Washington and Washington State University;
  - (ii) 72% of formula entitlement for faculty staffing for the four year state colleges; and
  - (iii) 75% of formula entitlement for faculty support;
- (d) Libraries program—55% of formula entitlement for staffing.

(2) It is the intent of the legislature that the four year institutions of higher education are authorized to transfer up to five percent of the amount appropriated for any specific program or programs upon review and approval by the office of program planning and fiscal management. If any transfers between programs, up to the limit authorized by this subsection, are made the institution shall report the amount and purpose of any such transfer to the standing ways and means committees at the beginning of each session of the legislature.

**NEW SECTION. Sec. 91. FOR THE UNIVERSITY OF WASHINGTON—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$ 16,618,808
Total Appropriation .....	\$ 16,618,808

**NEW SECTION. Sec. 92. FOR THE UNIVERSITY OF WASHINGTON—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$ 6,795,553
Total Appropriation .....	\$ 6,795,553

The appropriation contained in this section shall be subject to the following condition or limitation: Not less than \$1,450,000 shall be expended for the educational opportunity program.

**NEW SECTION. Sec. 93. FOR THE UNIVERSITY OF WASHINGTON—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$ 24,370,000
Total Appropriation .....	\$ 24,370,000

**NEW SECTION. Sec. 94. FOR THE UNIVERSITY OF WASHINGTON—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$ 11,889,451
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Total Appropriation ..... \$ 11,889,451

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 79.6% of such formula entitlement for collections for the first year of the 1975-77 biennium and is at 80.4% of such formula entitlement for collections for the second year of the 1975-77 biennium and is at 74.6% of such formula entitlement for staffing for the first year of the 1975-77 biennium and is at 73.5% of such formula entitlement for the second year of the 1975-77 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 95. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH—GENERAL PROGRAM**

General Fund Appropriation ..... \$ 66,456,354  
 Total Appropriation ..... \$ 66,456,354

**NEW SECTION. Sec. 96. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH—HEALTH SCIENCES PROGRAM**

General Fund Appropriation ..... \$ 31,388,410  
 Total Appropriation ..... \$ 31,388,410

**NEW SECTION. Sec. 97. FOR THE UNIVERSITY OF WASHINGTON—FOR THE JOINT CENTER FOR GRADUATE STUDY—RICHLAND PROGRAM**

General Fund Appropriation ..... \$ 313,574  
 Total Appropriation ..... \$ 313,574

**NEW SECTION. Sec. 98. FOR THE UNIVERSITY OF WASHINGTON—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation ..... \$ 2,773,677  
 Total Appropriation ..... \$ 2,773,677

**NEW SECTION. Sec. 99. FOR THE UNIVERSITY OF WASHINGTON—FOR THE UNIVERSITY HOSPITAL PROGRAM**

General Fund Appropriation ..... \$ 7,700,700  
 Total Appropriation ..... \$ 7,700,700

The appropriation contained in this section shall be subject to the following condition or limitation: \$900,000 contained in this appropriation is contingent upon the passage of chapter ..., Laws of 1975 1st ex. sess. (SB 2619).

**NEW SECTION. Sec. 100. FOR THE UNIVERSITY OF WASHINGTON—FOR THE HARBORVIEW MEDICAL CENTER PROGRAM**

General Fund Appropriation ..... \$ 6,109,597  
 Total Appropriation ..... \$ 6,109,597

**NEW SECTION. Sec. 101. FOR THE UNIVERSITY OF WASHINGTON—FOR THE EXTENSION AND PUBLIC SERVICES PROGRAM**

General Fund Appropriation ..... \$ 2,528,640  
 Total Appropriation ..... \$ 2,528,640

**NEW SECTION. Sec. 102. FOR THE UNIVERSITY OF WASHINGTON—FOR THE SEPARATELY BUDGETED RESEARCH PROGRAM**

General Fund Appropriation ..... \$ 2,907,366  
 Accident Fund Appropriation ..... \$ 717,500  
 Medical Aid Fund Appropriation ..... \$ 717,500  
 Total Appropriation ..... \$ 4,342,366

The appropriations contained in this section shall be subject to the following condition or limitation: \$234,586 of the general fund appropriation shall be expended to provide, to the school of public health and community medicine sufficient funds to implement a program of research and analysis of health care and health care programs in the state of Washington that will provide independent data to the legislative and administrative branches of state government necessary to the formulation of policies and the development of improved health care programs.

**NEW SECTION. Sec. 103. FOR THE UNIVERSITY OF WASHINGTON**

General Fund Appropriation ..... \$ 500,000  
 Total Appropriation ..... \$ 500,000

The appropriation contained in this section shall be for the support of Washington State University's participation in the WAMI program.

**NEW SECTION. Sec. 104. FOR WASHINGTON STATE UNIVERSITY—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation ..... \$ 7,985,900  
 Total Appropriation ..... \$ 7,985,900

**NEW SECTION. Sec. 105. FOR WASHINGTON STATE UNIVERSITY—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 4,534,073  
 Total Appropriation ..... \$ 4,534,073

**NEW SECTION. Sec. 106. FOR WASHINGTON STATE UNIVERSITY—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$ 9,439,100
Total Appropriation .....	\$ 9,439,100

**NEW SECTION. Sec. 107. FOR WASHINGTON STATE UNIVERSITY—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$ 5,145,164
Total Appropriation .....	\$ 5,145,164

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 72.9% of such formula entitlement for collections in the first year of the 1975-77 biennium and is at 73.6% of such formula entitlement for collections in the second year of the 1975-77 biennium.

**NEW SECTION. Sec. 108. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH—GENERAL PROGRAM**

General Fund Appropriation .....	\$ 34,480,169
Total Appropriation .....	\$ 34,480,169

**NEW SECTION. Sec. 109. FOR WASHINGTON STATE UNIVERSITY—FOR INSTRUCTION AND DEPARTMENTAL RESEARCH—HEALTH SCIENCES PROGRAM**

General Fund Appropriation .....	\$ 6,367,003
Total Appropriation .....	\$ 6,367,003

**NEW SECTION. Sec. 110. FOR WASHINGTON STATE UNIVERSITY—FOR THE JOINT CENTER FOR GRADUATE STUDY—RICHLAND PROGRAM**

General Fund Appropriation .....	\$ 313,574
Total Appropriation .....	\$ 313,574

**NEW SECTION. Sec. 111. FOR WASHINGTON STATE UNIVERSITY—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation .....	\$ 678,864
Total Appropriation .....	\$ 678,864

**NEW SECTION. Sec. 112. FOR WASHINGTON STATE UNIVERSITY—FOR THE AGRICULTURAL COOPERATIVE EXTENSION PROGRAM**

General Fund Appropriation .....	\$ 5,172,700
Total Appropriation .....	\$ 5,172,700

**NEW SECTION. Sec. 113. FOR WASHINGTON STATE UNIVERSITY—FOR THE EXTENSION AND PUBLIC SERVICES—GENERAL PROGRAM**

General Fund Appropriation .....	\$ 1,625,900
Total Appropriation .....	\$ 1,625,900

**NEW SECTION. Sec. 114. FOR WASHINGTON STATE UNIVERSITY—FOR THE SEPARATELY BUDGETED RESEARCH—AGRICULTURAL PROGRAM**

General Fund Appropriation .....	\$ 12,577,900
Total Appropriation .....	\$ 12,577,900

**NEW SECTION. Sec. 115. FOR WASHINGTON STATE UNIVERSITY—FOR THE SEPARATELY BUDGETED RESEARCH—ENGINEERING PROGRAM**

General Fund Appropriation .....	\$ 2,109,300
Total Appropriation .....	\$ 2,109,300

**NEW SECTION. Sec. 116. FOR WASHINGTON STATE UNIVERSITY—FOR THE SEPARATELY BUDGETED RESEARCH—OTHER PROGRAM**

General Fund Appropriation .....	\$ 1,465,400
Total Appropriation .....	\$ 1,465,400

**NEW SECTION. Sec. 117:** The legislature hereby directs that Western Washington State College shall not expend any of the funds appropriated to it by sections 119 through 126 of this act for the development of a Ph.D. program in any academic discipline or subject field.

**NEW SECTION. Sec. 118. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$ 2,979,100
Total Appropriation .....	\$ 2,979,100

**NEW SECTION. Sec. 119. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$ 2,066,100
Total Appropriation .....	\$ 2,066,100

**NEW SECTION. Sec. 120. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$ 3,561,500
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Total Appropriation ..... \$ 3,561,500

**NEW SECTION. Sec. 121. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 1,850,449  
Total Appropriation ..... \$ 1,850,449

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 97.5% of such formula entitlement for collections in the first year of the 1975-77 biennium and is at 99.4% of such formula entitlement for collections in the second year of the 1975-77 biennium.

**NEW SECTION. Sec. 122. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH PROGRAM**

General Fund Appropriation ..... \$ 18,582,855  
Total Appropriation ..... \$ 18,582,855

**NEW SECTION. Sec. 123. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation ..... \$ 694,900  
Total Appropriation ..... \$ 694,900

**NEW SECTION. Sec. 124. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE EXTENSION AND PUBLIC SERVICE PROGRAM—FOR THE FAIRHAVEN BRIDGE PROGRAM**

General Fund Appropriation ..... \$ 80,000  
Total Appropriation ..... \$ 80,000

**NEW SECTION. Sec. 125. FOR WESTERN WASHINGTON STATE COLLEGE—FOR THE SEPARATELY BUDGETED RESEARCH PROGRAM**

General Fund Appropriation ..... \$ 50,000  
Total Appropriation ..... \$ 50,000

**NEW SECTION. Sec. 126. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation ..... \$ 2,107,000  
Total Appropriation ..... \$ 2,107,000

**NEW SECTION. Sec. 127. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation ..... \$ 1,821,700  
Total Appropriation ..... \$ 1,821,700

**NEW SECTION. Sec. 128. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation ..... \$ 3,660,100  
Total Appropriation ..... \$ 3,660,100

**NEW SECTION. Sec. 129. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation ..... \$ 1,677,700  
Total Appropriation ..... \$ 1,677,700

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 86.2% of such formula entitlement for collections for the first year of the 1975-77 biennium and is at 87.1% of such formula entitlement for collections for the second year of the 1975-77 biennium.

**NEW SECTION. Sec. 130. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH PROGRAM**

General Fund Appropriation ..... \$ 15,342,087  
Total Appropriation ..... \$ 15,342,087

**NEW SECTION. Sec. 131. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation ..... \$ 1,413,100  
Total Appropriation ..... \$ 1,413,100

The appropriation contained in this section shall be subject to the following condition or limitation: \$250,000 shall be expended for the conversion of existing data processing systems from their current environment to a joint utilization of other shared state data processing resources.

**NEW SECTION. Sec. 132. FOR CENTRAL WASHINGTON STATE COLLEGE—FOR THE SEPARATELY BUDGETED RESEARCH PROGRAM**

General Fund Appropriation ..... \$ 40,000  
Total Appropriation ..... \$ 40,000

**NEW SECTION. Sec. 133. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$	2,193,800
Total Appropriation .....	\$	2,193,800

**NEW SECTION. Sec. 134. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	1,250,900
Total Appropriation .....	\$	1,250,900

**NEW SECTION. Sec. 135. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	4,488,300
Total Appropriation .....	\$	4,488,300

**NEW SECTION. Sec. 136. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	1,381,330
Total Appropriation .....	\$	1,381,330

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 82.8% of such formula entitlement for collections for the first year of the 1975-77 biennium and is at 83.3% of such formula entitlement for collections for the second year of the 1975-77 biennium.

**NEW SECTION. Sec. 137. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE GENERAL INSTRUCTION PROGRAM**

General Fund Appropriation .....	\$	14,360,189
Total Appropriation .....	\$	14,360,189

**NEW SECTION. Sec. 138. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH-HEALTH SCIENCES PROGRAM**

General Fund Appropriation .....	\$	330,033
Total Appropriation .....	\$	330,033

**NEW SECTION. Sec. 139. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation .....	\$	1,336,200
Total Appropriation .....	\$	1,336,200

**NEW SECTION. Sec. 140. FOR EASTERN WASHINGTON STATE COLLEGE—FOR THE SEPARATELY BUDGETED RESEARCH PROGRAM**

General Fund Appropriation .....	\$	10,000
Total Appropriation .....	\$	10,000

**NEW SECTION. Sec. 141. FOR THE EVERGREEN STATE COLLEGE—FOR THE ADMINISTRATION AND GENERAL EXPENSE PROGRAM**

General Fund Appropriation .....	\$	1,767,300
Total Appropriation .....	\$	1,767,300

**NEW SECTION. Sec. 142. FOR THE EVERGREEN STATE COLLEGE—FOR THE STUDENT SERVICES PROGRAM**

General Fund Appropriation .....	\$	677,734
Total Appropriation .....	\$	677,734

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the student services budget model and the funding level contained in this section is at 85% of such formula entitlement for the first year of the 1975-77 biennium and is at 75% of such formula entitlement for the second year of the 1975-77 biennium and is further based in part on special nonformula items.

**NEW SECTION. Sec. 143. FOR THE EVERGREEN STATE COLLEGE—FOR THE PLANT OPERATIONS AND MAINTENANCE PROGRAM**

General Fund Appropriation .....	\$	2,683,299
Total Appropriation .....	\$	2,683,299

**NEW SECTION. Sec. 144. FOR THE EVERGREEN STATE COLLEGE—FOR THE LIBRARIES PROGRAM**

General Fund Appropriation .....	\$	1,416,823
Total Appropriation .....	\$	1,416,823

The funds appropriated by this section are based in part on a formula entitlement derived by the use of the libraries budget model and the funding level contained in this section is at 82.9% of such formula entitlement for collections for the first year of the 1975-77 biennium and is at 82.1% of such formula entitlement for collections for the second year of the 1975-77 biennium.

**NEW SECTION. Sec. 145. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTRUCTION AND DEPARTMENTAL RESEARCH PROGRAM**

General Fund Appropriation .....	\$	5,387,428
Total Appropriation .....	\$	5,387,428

**NEW SECTION. Sec. 146. FOR THE EVERGREEN STATE COLLEGE—FOR THE ORGANIZED ACTIVITIES RELATED TO EDUCATIONAL DEPARTMENTS PROGRAM**

General Fund Appropriation .....	\$	600,000
Total Appropriation .....	\$	600,000

**NEW SECTION. Sec. 147. K-12 PROGRAM.**

The appropriations contained in sections 149 through 164 of this act shall be subject to the following conditions and limitations:

(1) No funds shall be expended to support the state board of education's adopted 1971 "Guidelines and Standards" relating to the preparation of professional education staff. No funds shall be expended for development, implementation, or continuation of activities associated with the 1971 "Guidelines and Standards".

(2) No funds shall be expended directly or indirectly for purposes of advancing the development of occupational skill centers. Operations of skill centers in existence on the effective date of this act may be continued.

**NEW SECTION. Sec. 148. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State .....	\$	8,718,921
General Fund Appropriation—Federal .....	\$	3,904,000
General Fund—Traffic Safety Education Account Appropriation .....	\$	667,690
Total Appropriation .....	\$	13,290,611

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The superintendent of public instruction is authorized to continue operating a career education program through the 1975-77 biennium: PROVIDED, That no more than \$100,000 of state funds shall be used for the continuation of this program.

(2) \$280,000 shall be expended exclusively to provide support for legal actions against local school districts which result from reduction-in-force procedures. Such funds may only be disbursed to local school districts on approval of the superintendent of public instruction and no such funds shall be disbursed after March 15, 1976. Disbursements shall be made to local school districts only if such districts provide at least twenty-five percent of the costs of such legal actions from nonappropriated funds.

(3) Not more than \$90,000 shall be expended to provide office support for the management of the transportation program.

(4) Not more than \$667,690 shall be expended for state office administration of the traffic safety education program. The superintendent of public instruction shall develop a plan for reducing administrative costs associated with such program and submit the plan to the standing ways and means committees no later than July 1, 1976.

(5) The state board of education shall not reduce the number of intermediate school districts, including any realignment of boundaries, until approval is received by the legislature.

**NEW SECTION. Sec. 149. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—GENERAL APPORTIONMENT**

General Fund Appropriation:		
For General Apportionment .....	\$	1,073,195,265
Total Appropriation .....	\$	1,073,195,265

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Salary increases for classified and certificated employees of common school districts are not mandated by the provisions of this section.

(2) Any local school district which does provide a salary increase from funds appropriated by this section shall provide a district-wide salary increase which is equal for both certificated and classified personnel.

(3) Local school districts receiving funds from the appropriation made in this section may expend all or a portion of such funds to retain needed personnel in-lieu of salary increases.

(4) It is the intent of the legislature that to the extent that any district receives funds through the state apportionment formula in excess of the amount anticipated by such a district when it established its excess levy for collection in 1976 and when such excess can be utilized to relieve special levy burdens, then such a district should place a first priority on reducing its special levy.

(5) The superintendent of public instruction is hereby authorized to direct from the appropriation contained in this section, such funds as may be necessary to grant salary increases for certificated and classified employees funded through categorical programs, but in no event shall such allocation exceed the average salary increase amount authorized for state employees during the 1974-75 fiscal year.

(6) The weighting schedule used by the superintendent of public instruction during the 1975-77 biennium in computing the apportionment of funds for each school district shall be based on the following factors:

- (a) A base weighting factor of 1.0 for each full time equivalent student enrolled;

- (b) An additional weighting factor of 1.0 for each full time equivalent student enrolled in vocational education in grades 9-12 which is approved by the superintendent of public instruction. The superintendent of public instruction shall report the results of a comprehensive study on vocational education to the standing ways and means committees no later than January 1, 1976. Such study shall document the cost of vocational education presently qualifying for 0.2 support on a sample basis. Such study shall include an examination of the criteria for determining full time equivalents and recommendations for alternative funding procedures and a time line for implementation thereof;
  - (c) Continuation of the weighting factors used by the superintendent of public instruction for the purpose of reimbursement to each school district for costs resulting from staff education and experience greater than the minimum requirements. The superintendent of public instruction shall employ the staff characteristic factor of the respective local districts established in each of the immediately preceding school years for purposes of distribution throughout the 1975-77 biennium;
  - (d) An additional weighting factor of not more than 2.0 as determined by the superintendent of public instruction for school districts enrolling not more than 250 full time equivalent students in grades 9-12;
  - (e) An additional weighting factor of not more than 2.0 as determined by the superintendent of public instruction for nonhigh school districts enrolling not more than 100 full time equivalent students which districts have been judged to be remote and necessary by the state board of education;
  - (f) An additional weighting factor of not more than 2.0 as determined by the superintendent of public instruction for small school plants which are judged remote and necessary within any school district by the state board of education;
  - (g) An additional weighting factor for a period of not more than four years, for any consolidated school district formed after July 1, 1971, equal to the additional weighting factor in effect in each qualifying district during the school year immediately preceding consolidation, which district consists of one or more former school districts which were either remote and necessary or which contained not more than 250 students in grades 9-12;
  - (h) An additional weighting factor of 0.25 for full time equivalent students residing on tax exempt property as set forth in RCW 28A.41.140(6)(b) or (c); and
  - (i) An additional weighting factor of 0.25 for full time equivalent students in an approved inter-district cooperative program as authorized by RCW 28A.41.140(6)(a) and 28A.58.075.
- (7) It is the intent of the legislature that a portion of the funds appropriated by this section for general apportionment may be used by school districts for costs associated with public use of school gymnasiums during evening and weekend hours.
- (8) During the 1975-77 biennium the superintendent of public instruction shall distribute not more than \$960,000 of the funds appropriated by this section for general apportionment, outside of the apportionment formula to school districts for the following purposes:
- (a) To pay fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by the provisions of RCW 52.36.020 by the expenditure of not more than \$560,000;
  - (b) To pay for school district emergencies by the expenditure of not more than \$400,000.
- (9) During the 1975-77 biennium the superintendent of public instruction may direct the expenditure of funds contained in this appropriation to fund the percentage of school psychologists, speech therapists and other ancillary personnel not funded in the handicapped excess cost appropriation for the 1975-77 biennium.

**NEW SECTION.** Sec. 150. There is hereby appropriated from the state general fund to the superintendent of public instruction for the biennium ending June 30, 1977, for distribution appropriate to the purposes of this section during the 1975-76 school year to school districts as hereinafter in this section provided, the sum of sixty-five million dollars or so much thereof as may be necessary: PROVIDED, That not more than three and one-half million dollars of such amount shall be allocated to districts which have submitted but failed to authorize one or more excess levies for maintenance and operations in 1976 and with a relatively high percentage of urban, rural, racial, and disadvantaged children, to continue quality educational programs for the 1975-76 school year at approximately the same student-teacher ratio that existed during the 1974-75 school year for any such districts or schools within such districts.

Allocations under this section for special levy relief shall be made by the superintendent of public instruction to local school districts in accordance with the following procedure:

Those local school districts which have received authorization for collection of an excess levy in 1976 for maintenance and operations or which have submitted one or more excess levies for maintenance and operations in 1976 shall receive an amount in the sum of eighty dollars per full time equivalent pupil enrolled for the 1975-76 school year. The superintendent of public instruction shall determine and notify each local school district of the amount of such funds made available by this section. Each board of directors of a local school district which qualifies for an allotment of funds for special levy relief pursuant to the provisions of this section and has been authorized an excess levy for maintenance and operations for collection in 1976, prior to receiving an allotment of funds hereunder, shall certify to the respective county legislative authority a reduction in the excess levy equal to the amount of funds made available for special levy relief pursuant to this section. Any school district which fails to certify and roll back excess levies in

the manner required by this section shall not receive any allotment from the superintendent of public instruction of the funds made available under this section.

Those local school districts which did not submit one or more excess levies for maintenance and operations for collection in 1976 and in addition experience a net per pupil expenditure, excluding transportation costs, of less than the state-wide average per student during the 1974-75 school year, shall receive an amount equal to fifty dollars per full time equivalent pupil during the 1975-76 school year.

The superintendent of public instruction, pursuant to chapter 34.04 RCW, shall promulgate rules and regulations to effect the intent of this section.

**NEW SECTION. Sec. 151. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR HANDICAPPED EXCESS COSTS**

General Fund Appropriation—State .....	\$	73,163,256
General Fund Appropriation—Federal .....	\$	3,423,000
Total Appropriation .....	\$	76,586,256

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The number of students receiving special education for learning language disabilities shall be increased from 0.8 percent to 1.0 percent of the total student enrollment during the 1975-76 school year.

(2) Not more than \$2,437,230 of the funds contained in the appropriations made in this section shall be held in reserve to increase the current percentage to 1.5 percent of the total student enrollment during the 1976-77 school year upon satisfactory completion of the requirement set forth in subsection (3) of this section.

(3) No reserve funds shall be released without approval of the legislative budget committee and that committee shall not release such funds until the superintendent of public instruction has implemented an appropriate screening device designed to identify children with learning language disabilities. The office of the superintendent of public instruction shall not expend more than \$40,000 of the funds contained in these appropriations to implement such a screening device.

(4) Handicapped program categories are budgeted for on the student-teacher ratios provided for by the rules and regulations adopted by the superintendent of public instruction with the exception of resource rooms which are budgeted for on a ratio of 35 students to 1 teacher.

(5) During the 1975-76 school year the superintendent of public instruction shall implement a system of monthly reporting by each school district of handicapped student enrollments by the disability categories.

(6) A committee composed of ten persons (three appointed by the superintendent of public instruction, three appointed by the governor, two appointed by each of the standing ways and means committees), which shall be provided such support services by the superintendent of public instruction as are necessary to accomplish the tasks imposed by this subsection, shall provide a report to the office of program planning and fiscal management and the standing ways and means committees not later than February 1, 1976, which shall include, but not necessarily be limited to the following:

- (a) Redefinition by handicapped category of eligibility criteria for excess cost funding including type of disability, degree of disability, and related criteria;
- (b) Coordination of definitions and criteria with mental health, developmental disabilities, and other related programs of the department of social and health services;
- (c) A state-wide needs assessment which shall be a six year projection;
- (d) A thorough review of screening techniques and referral processes;
- (e) A reevaluation of instructional methods; and
- (f) A revision of accounting and reporting requirements to insure accountability of expenditures to budget assumptions and to measure the effectiveness of special education programs in assisting students to achieve their appropriate grade levels.

(7) Not more than \$36,000 shall be used to initiate a program to instruct teachers and school nurses in techniques for recognizing and caring for epileptic students.

**NEW SECTION. Sec. 152. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR PUPIL TRANSPORTATION**

General Fund Appropriation .....	\$	61,699,889
Total Appropriation .....	\$	61,699,889

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$350,000 shall be expended to provide for the improved management of the transportation and safety programs initiated by chapter 91, Laws of 1974 ex. sess.

(2) The superintendent of public instruction shall develop a new vehicle depreciation schedule that more accurately reflects the useful life of transportation equipment and shall report recommendations to the respective ways and means committees of the legislature not later than September 1, 1975.

**NEW SECTION. Sec. 153. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-  
TECHNICAL INSTITUTES**

General Fund Appropriation .....	\$	20,398,748
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**NEW SECTION. Sec. 154. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State .....	\$ 8,866,998
General Fund Appropriation—Federal .....	\$ 3,699,540
Total Appropriation .....	\$ 12,566,538

**NEW SECTION. Sec. 155. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR URBAN RURAL RACIAL DISADVANTAGED PROGRAMS**

General Fund Appropriation .....	\$ 9,611,362
Total Appropriation .....	\$ 9,611,362

The appropriation contained in this section shall be subject to the following condition or limitation: Not less than \$1,000,000 shall be expended for districts with an average annual enrollment of 2,500 full time equivalent students or less.

**NEW SECTION. Sec. 156. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR INTERMEDIATE SCHOOL DISTRICTS**

General Fund Appropriation .....	\$ 3,624,870
Total Appropriation .....	\$ 3,624,870

**NEW SECTION. Sec. 157. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE GIFTED PUPIL PROGRAM**

General Fund Appropriation .....	\$ 913,000
Total Appropriation .....	\$ 913,000

The appropriation contained in this section shall be subject to the following condition or limitation: The superintendent of public instruction shall provide a report to the legislative budget committee not later than February 1, 1976, which shall include the following:

- (1) A state-wide needs assessment which shall be a six year projection;
- (2) Quantifiable definitions of intellectually and creatively gifted students who are determined eligible for excess cost funding;
- (3) An explanation of screening techniques relating to gifted students;
- (4) A description of instructional methods relating to gifted students;
- (5) Program cost data; and
- (6) Program success data.

**NEW SECTION. Sec. 158. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR CULTURAL ENRICHMENT PROGRAMS**

General Fund Appropriation .....	\$ 1,111,781
Total Appropriation .....	\$ 1,111,781

**NEW SECTION. Sec. 159. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE PACIFIC SCIENCE CENTER FOR MATHEMATICS AND SCIENCE EDUCATION  
SERVICES TO BE PROVIDED PUBLIC SCHOOL STUDENTS AND TEACHERS**

General Fund Appropriation .....	\$ 513,121
Total Appropriation .....	\$ 513,121

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$338,121 may be expended by the superintendent of public instruction to construct, remodel and equip an astronomy education facility upon property owned by Pacific Science Center Foundation for the purpose of providing such educational services.

(2) The superintendent of public instruction may contract to transfer title to such facility and equipment provided for in subsection (1) of this section to the Pacific Science Center Foundation or its successor at such time as the value of educational services provided to public school students and teachers exceeds the costs reimbursed by the superintendent of public instruction and participating school districts by an amount equivalent to at least the cost to the superintendent of public instruction for the construction and acquisition of such facility and equipment.

**NEW SECTION. Sec. 160. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation .....	\$ 8,951,410
Total Appropriation .....	\$ 8,951,410

**NEW SECTION. Sec. 161. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State .....	\$ 7,650,964
General Fund Appropriation—Federal .....	\$ 41,796,311
Total Appropriation .....	\$ 49,447,275

**NEW SECTION. Sec. 162. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—  
FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal .....	\$ 60,731,414
Total Appropriation .....	\$ 60,731,414
Elementary and Secondary Education Act of 1965 .....	\$ 57,054,157
National Defense Education Act of 1958 .....	\$ 617,257
Education of Indian Children .....	\$ 1,810,000

Adult Basic Education .....	\$	1,250,000
<b>NEW SECTION. Sec. 163. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION— FOR THE ENCUMBRANCE OF FEDERAL GRANTS</b>		
General Fund Appropriation—Federal .....	\$	15,221,787
Total Appropriation .....	\$	15,221,787
<b>NEW SECTION. Sec. 164. FOR THE OCEANOGRAPHIC COMMISSION</b>		
General Fund Appropriation .....	\$	227,486
Total Appropriation .....	\$	227,486

The appropriation contained in this section shall be subject to the following limitation or condition: Not more than \$40,000 shall be expended on a research feasibility study for an underwater pipeline crossing of Admiralty Inlet. Results of such study shall be submitted to the legislature not later than January 1, 1976.

<b>NEW SECTION. Sec. 165. FOR THE DEPARTMENT OF ECOLOGY</b>		
General Fund Appropriation—State .....	\$	14,205,592
General Fund Appropriation—Federal .....	\$	7,206,050
General Fund—Reclamation Revolving Account Appropriation .....	\$	526,000
General Fund—Litter Control Account Appropriation .....	\$	1,725,260
Stream Gaging Basic Data Fund Appropriation .....	\$	170,000
General Fund—Water Pollution Control Facilities Account Appropriation .....	\$	4,000,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess. (Referendum 26) .....	\$	93,744,785
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27) .....	\$	53,944,043
Total Appropriation .....	\$	175,521,730

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,063,931 in state funds from the appropriations contained herein shall be expended by the department for matching purposes for activated air pollution control authorities. If such authorities do not expend an equal amount to match such funds during the 1975-77 biennium, then such unmatched, unexpended state funds shall be available to the department.

(2) \$1,388,050 from federal air pollution control grant funds shall be made available to activated air pollution control authorities in the state as directed by the federal environmental protection agency.

(3) Not more than \$2,500 shall be expended for water master services in Walla Walla county.

(4) \$20,769,529 of the state and local improvements account—water supply appropriation shall be expended exclusively for agricultural water supply facilities. Not more than \$15,000,000 of such \$20,769,529 appropriation shall be expended for the Second Bacon Siphon and Tunnel.

(5) On or before October 1, 1975, the department of ecology shall file with the standing ways and means committees of the legislature a master compilation by project type of those projects proposed for funding during the 1975-77 biennium from the appropriations for waste disposal facilities and municipal and industrial water supply facilities. The department shall submit updates for the master compilation to the standing ways and means committees at six month intervals during the 1975-77 biennium. The updates shall reflect project completions, deletions, and substitutions or additions made during the course of administering such projects. If the department proposes to change or modify any project listed on the master compilation, it shall give the standing ways and means committees thirty days written notice of such change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall inform the standing ways and means committees as soon as is practicable of emergent federal action which has any affect whatsoever on the appropriations for waste disposal facilities and water supply facilities.

(6) The appropriation from the state and local improvements revolving account—municipal and industrial water supply facilities may be expended to pay up to fifty percent of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may loan up to one hundred percent of the eligible costs of preconstruction activities and the department may provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

(7) The appropriation from the state and local improvements revolving account—waste disposal facilities may be expended by the department to pay for up to fifty percent of the eligible cost of any project, as a grant or loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is hereby authorized to loan up to one hundred percent of the eligible costs of preconstruction activities. The department is hereby authorized to provide up to one hundred percent of the costs necessary to meet the conditions required to receive federal funds.

<b>NEW SECTION. Sec. 166. FOR THE COLUMBIA RIVER GORGE COMMISSION</b>		
General Fund Appropriation—State .....	\$	3,600
General Fund Appropriation—Federal .....	\$	16,000
Total Appropriation .....	\$	19,600

**NEW SECTION. Sec. 167. FOR THE POLLUTION CONTROL HEARINGS BOARD**

General Fund Appropriation .....	\$	404,756
Total Appropriation .....	\$	404,756

**NEW SECTION. Sec. 168. FOR THE THERMAL POWER PLANT SITE EVALUATION COUNCIL**

General Fund Appropriation .....	\$	324,609
Total Appropriation .....	\$	324,609

The appropriation contained in this section is subject to the following condition or limitation: The council shall establish a schedule of charges for monitoring compliance with state site certification requirements. Such charges shall be sufficient to maintain the expense of the compliance monitoring function. The schedule shall be submitted to the standing ways and means committees of the legislature not later than November 30, 1975.

**NEW SECTION. Sec. 169. FOR THE SHORELINES HEARING BOARD**

General Fund Appropriation .....	\$	56,000
Total Appropriation .....	\$	56,000

**NEW SECTION. Sec. 170. FOR THE STATE PARKS AND RECREATION COMMISSION**

General Fund Appropriation—State .....	\$	15,907,721
General Fund Appropriation—Federal .....	\$	252,205
General Fund—Trust Land Purchase Account Appropriation .....	\$	2,522,968
Motor Vehicle Fund Appropriation .....	\$	600,000
General Fund—State and Local Improvement Revolving Account Appropria- tion—Public Recreation Facilities; Appropriated pursuant to section 4(3), chapter 129, Laws of 1972 ex. sess. ....	\$	625,000
Total Appropriation .....	\$	19,907,894

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The commission shall make no contractual agreements or receive any donation of real property or an interest therein which commits the commission to either assuming on a current basis or to requesting funds at a future time for operating, development, or acquisition costs without prior approval of the legislative budget committee or the standing ways and means committees if the legislature is in session.

(2) \$6,150,450 shall be expended for the administrative services program to be funded from the following sources: \$2,750,277 from the state general fund, \$252,205 from the federal general fund, \$2,522,968 from the trust land purchase account, and \$625,000 from the state and local improvement revolving account.

Not more than \$35,000 shall be expended within the administrative services program for the purpose of studying the feasibility, desirability, and need for a greenway along the Yakima river from Selah Gap to Union Gap.

Not more than \$15,000 shall remain unexpended for the contingent purpose of making a grant to the Port of Skagit County in the event that the planned operation of the historical railroad from Sedro Woolley to Concrete is not fully self-supporting in the first year of operation.

It is the intent of the legislature that \$625,000 shall be expended for the "Historic Preservation Program" to be operated by the Commission. Such Commission and the office of program planning and fiscal management shall adopt rules and regulations pursuant to chapter 34.04 RCW for the purpose of administering such program.

(3) \$2,317,228 shall be expended for the resource development program to be funded by \$1,717,228 from the state general fund and \$600,000 from the motor vehicle fund appropriation.

(4) The park operation program is funded by \$11,440,216 from the state general fund.

\$60,000 shall be expended within the park operation program for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

**NEW SECTION. Sec. 171. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund—Outdoor Recreation Account Appropriation .....	\$	14,756,013
General Fund—Outdoor Recreation Account Appropriation; Appropriated pursuant to section 4(2), chapter 129, Laws of 1972 ex. sess. ....	\$	7,210,000
Total Appropriation .....	\$	21,966,013

The appropriations contained in this section shall be subject to the following condition or limitation: Not more than \$818,732 of the Outdoor Recreation Account Appropriation of \$14,756,013 shall be expended for administration.

**NEW SECTION. Sec. 172. FOR THE COUNCIL ON ENVIRONMENTAL POLICY**

General Fund Appropriation .....	\$	44,324
Total Appropriation .....	\$	44,324

**NEW SECTION. Sec. 173. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation—State .....	\$	3,111,558
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General Fund Appropriation—Federal.....	\$	250,000
Motor Vehicle Fund Appropriation.....	\$	295,277
Total Appropriation.....	\$	3,656,835

The appropriations contained in this section shall be subject to the following condition or limitation: \$286,400 of the general fund appropriation—state shall be available solely for service contracts on a one to one dollar match basis by nonprofit corporations, organizations, councils, or associations involved in local economic development.

**NEW SECTION. Sec. 174. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State.....	\$	16,134,576
General Fund Appropriation—Federal.....	\$	3,690,856
General Fund Appropriation—Local.....	\$	1,392,728
General Fund—Lewis River Hatchery Account Appropriation.....	\$	26,640
Vessel, Gear, License, and Permit Reduction Fund.....	\$	4,947,000
Total Appropriation.....	\$	26,191,800

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$200,000 of the general fund appropriation—state shall be expended for the operation of the Spaight Creek rearing unit.

(2) \$12,000 of the general fund appropriation—state shall be expended for an engineering survey of the Dungeness Diversion Dam in Clallam county.

(3) The expenditure of \$4,947,000 of the vessel, gear, license, and permit reduction fund shall be contingent on the enactment of chapter ..., Laws of 1975 1st ex. sess. (SSB 2574). If chapter ..., Laws of 1975 1st ex. sess. (SSB 2574) is not enacted into law and federal funds are available to the state for purchase and removal of commercial fishing vessels, it is the intent of the legislature that the department of fisheries shall be the only state agency which may apply for such funds through the unanticipated receipts process.

(4) \$10,000 of the general fund appropriation—state may be utilized in a pilot project in cooperation with the office of the superintendent of public instruction in the establishment of a fisheries resource education program in local school districts. Such funds are to be matched, by school districts participating, on a one to one basis from private or local resources.

**NEW SECTION. Sec. 175. FOR THE DEPARTMENT OF GAME**

General Fund Appropriation.....	\$	36,000
General Fund—Outdoor Recreation Account Appropriation.....	\$	220,759
Game Fund Appropriation—State.....	\$	16,922,465
Game Fund Appropriation—Federal.....	\$	4,210,000
Game Fund Appropriation—Local.....	\$	550,000
Total Appropriation.....	\$	21,939,224

The appropriations contained in this section shall be subject to the following condition or limitation:

(1) It is the intent of the legislature that the department shall be required to administer each program so that there shall be a vacancy rate of not greater than five percent and such percentage shall be attained by abolishing vacant positions.

(2) Not less than \$3,218,668 from the game fund appropriation—state, \$1,650,000 from the game-fund appropriation—federal, and \$400,000 from the game fund appropriation—local shall be expended on fish management and fish production.

**NEW SECTION. Sec. 176. FOR THE FOREST PRACTICES APPEALS BOARD**

General Fund Appropriation.....	\$	223,005
Total Appropriation.....	\$	223,005

**NEW SECTION. Sec. 177. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State.....	\$	12,412,273
General Fund Appropriation—Federal.....	\$	653,035
General Fund—General Contingency Forest Fire Suppression Account Appropriation.....	\$	1,000,000
General Fund—Landowners Forest Fire Suppression Account Appropriation.....	\$	1,000,000
General Fund—Resource Management Cost Account Appropriation.....	\$	29,197,685
General Fund—Forest Development Account Appropriation.....	\$	5,075,390
State Timber Reserve Fund Appropriation.....	\$	1,894,650
General Fund—Outdoor Recreation Account Appropriation.....	\$	1,840,539
Total Appropriation.....	\$	53,073,572

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,000,000 of the state general fund appropriation is for emergency fire suppression costs and shall be allocated and transferred to the general contingency forest fire suppression account only as such funds are actually needed for the purpose of paying emergency fire suppression costs.

(2) \$100,000 of the general fund appropriation—state and \$25,000 of the resource management account appropriation shall be expended by the department in a program directed toward the eradication of the star thistle weed (centaurea solstitialis) on lands managed by the department. The department shall

provide a one-third state share for problem areas adjacent to such lands which are privately owned if participating counties and individual landowners provide their equal one-third shares.

(3) \$483,872 of the general fund—resource management account appropriation and \$44,908 of the general fund—forest development account appropriation may be expended only if chapter ..., Laws of 1975 ex. sess. (HB 971 or a similar measure) is not enacted into law. Expenditures of such funds shall be for payment of leasehold excise taxes by the department.

(4) \$200,000 of the general fund—resource management account appropriation shall be expended for payment by the department of past due in-lieu excise tax payments.

(5) \$593,035 from the general fund appropriation—federal shall be expended for the job opportunities program to stimulate or expand job creating activities in areas that are suffering from high unemployment.

**NEW SECTION. Sec. 178. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State .....	\$	5,230,611
General Fund Appropriation—Federal .....	\$	140,556
General Fund—Commercial Feed Account Appropriation .....	\$	226,420
General Fund—Egg Inspection Account Appropriation .....	\$	306,054
General Fund—Feed and Fertilizer Account Appropriation .....	\$	12,972
General Fund—Fertilizer, Agricultural, Mineral and Lime Account Appropriation .....	\$	217,736
General Fund—Nursery Inspection Account Appropriation .....	\$	199,251
General Fund—Seed Account Appropriation .....	\$	585,610
General Fund—Special Grass Seed Burning Account Appropriation .....	\$	85,000
Grain and Hay Inspection Fund Appropriation .....	\$	4,928,226
Total Appropriation .....	\$	11,932,436

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The department, in conjunction with the office of program planning and fiscal management shall prepare a report for submission to the legislature not later than January 1, 1976. Such report shall contain provisions for a system which will allow the various agricultural dedicated funds and accounts, whether appropriated or nonappropriated, to financially support the general administration program.

(2) \$272,336 of the state general fund appropriation shall be expended by the department for its one-third share for completion of the special program in conjunction with the noxious weed control boards of the several counties directed towards the eradication of the noxious weed tansy. Continued state expenditures are conditioned on the continuation of payment of an equal one-third share by participating county noxious weed control boards and individual landowners. No county noxious weed control board or individual land owner shall be eligible for the state's one-third share unless such board or landowner has developed a range management program approved by the department in cooperation with the appropriate local or other agency responsible for said conservation. \$67,596 of the \$272,336 shall be expended in cooperation with Washington State University for research into the poisonous properties of tansy ragwort (*Senecio-Jacobaea*). \$37,740 of the \$272,336 shall be expended to support a noxious weed coordinator for the duration of the special program.

(3) The grass seed burning account appropriation shall be expended for research at Washington State University in alternative methods of burning grasses grown for commercial seed production.

(4) Not more than \$27,500 from the state general fund appropriation shall be expended for the continuation of the wetlands survey being conducted by the Water Research Center at Washington State University.

**NEW SECTION. Sec. 179. FOR THE TRAFFIC SAFETY COMMISSION**

Highway Safety Fund Appropriation .....	\$	4,077,374
Total Appropriation .....	\$	4,077,374

**NEW SECTION. Sec. 180. FOR THE STATE PATROL**

General Fund Appropriation—State .....	\$	4,996,541
General Fund Appropriation—Federal .....	\$	1,892,737
Motor Vehicle Fund Appropriation .....	\$	48,773,702
Total Appropriation .....	\$	55,662,980

**NEW SECTION. Sec. 181. FOR THE VEHICLE EQUIPMENT SAFETY COMMISSION**

Motor Vehicle Fund Appropriation .....	\$	6,500
Total Appropriation .....	\$	6,500

**NEW SECTION. Sec. 182. FOR THE DEPARTMENT OF MOTOR VEHICLES**

General Fund Appropriation .....	\$	3,758,459
General Fund—Architect's License Account Appropriation .....	\$	84,046
General Fund—Commercial Automobile Driver Training School Account Appropriation .....	\$	2,522
General Fund—Optician's Account Appropriation .....	\$	3,641
General Fund—Optometry Account Appropriation .....	\$	22,324
General Fund—Professional Engineer's Account Appropriation .....	\$	234,895
General Fund—Real Estate Commission Account Appropriation .....	\$	1,708,136

General Fund—Sanitarian's Licensing Account Appropriation .....	\$	8,855
General Fund—Board of Psychological Examiners Account Appropriation .....	\$	15,885
Game Fund Appropriation .....	\$	104,744
Highway Safety Fund Appropriation .....	\$	16,187,284
Motor Vehicle Fund Appropriation .....	\$	12,812,439
Total Appropriation .....	\$	34,943,230

## NEW SECTION. Sec. 183. FOR THE AERONAUTICS COMMISSION

General Fund—Search and Rescue Account Appropriation .....	\$	36,000
General Fund—Aeronautics Account Appropriation .....	\$	1,057,240
Total Appropriation .....	\$	1,093,240

## NEW SECTION. Sec. 184. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Fund Appropriation .....	\$	222,285
Total Appropriation .....	\$	222,285

The appropriation contained in this section shall be subject to the following condition or limitation: If Substitute Senate Bill No. 2713 is not enacted, \$79,915 shall lapse at the end of the biennium.

## NEW SECTION. Sec. 185. FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the Utilities and Transportation Commission for the 1975-77 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291 .....	\$	575,000
General Fund—Investment Reserve Account Appropriation: For transfer to the General Fund on or before June 29, 1977, pursuant to chapter 50, Laws of 1969 .....	\$	10,700,000
State Treasurer's Service Fund Appropriation: For transfer to the General Fund on or before June 30, 1976 .....	\$	2,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the Department of Highways and the Washington State Patrol during the period July 1, 1975, through June 30, 1977 .....	\$	1,300,000
General Fund—State and Local Improvements Revolving Account—Public Recreation Facilities Appropriation: For transfer to the General Fund—Outdoor Recreation Account on or before June 30, 1977, pursuant to the provisions of section 4(2), chapter 129, Laws of 1972 ex. sess. ....	\$	5,000,000
General Fund—State and Local Improvements Revolving Account—Public Recreation Facilities Appropriation: For transfer to the General Fund—Outdoor Recreation Account on or before June 30, 1977, pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess. ....	\$	3,300,000
General Fund Appropriation: For transfer to the General Fund—Public Facilities Construction Loan and Grant Revolving Account on or before June 30, 1977 as required to meet obligations: PROVIDED, That notwithstanding the provisions of chapter 43.31A RCW, this appropriation shall be allocated to the Planning and Community Affairs Agency to be used exclusively for continuation of the Indian Economic and Employment Assistance Program for projects requested by reservation tribes through the Program Administrator .....	\$	1,568,691

## NEW SECTION. Sec. 186. FOR BELATED CLAIMS, SUNDRY CLAIMS, ELECTION COSTS, AND CRIMINAL COSTS

The following sums, or so much thereof as shall severally be found necessary are hereby appropriated and authorized to be expended out of the several funds indicated, for the period from the effective date of this act to June 30, 1976, except as otherwise noted.

## BELATED CLAIMS

To reimburse the General Fund for Expenditures from Appropriation for Belated Claims to be disbursed on vouchers approved by the State Auditor:

General Fund—Commercial Feed Account Appropriation .....	\$	46.24
General Fund—Commission Merchants Account Appropriation .....	\$	40.32
General Fund—Contingency Forest Fire Suppression Account Appropriation .....	\$	648.49
General Fund—Egg Inspection Account Appropriation .....	\$	143.53
General Fund—Electrical License Account Appropriation .....	\$	551.08
General Fund—Feed and Fertilizer Account Appropriation .....	\$	.30
General Fund—Fertilizer, Agricultural Mineral and Lime Account Appropriation .....	\$	31.08
General Fund—Real Estate Commission Account Appropriation .....	\$	887.15
General Fund—Seed Account Appropriation .....	\$	73.95
General Fund—Capitol Building Construction Account Appropriation .....	\$	2,712.00
General Fund—Aeronautics Account Appropriation .....	\$	50.70
General Fund—Resource Management Cost Account Appropriation .....	\$	3,617.10

General Fund—Seattle Army Account Appropriation .....	\$ 461.77
General Fund—Traffic Safety Education Account Appropriation .....	\$ 16.57
General Fund—Outdoor Recreation Account Appropriation .....	\$ 5,363.93
Game Fund Appropriation .....	\$ 3,341.04
Grain and Hay Inspection Fund Appropriation .....	\$ 1,512.08
Highway Safety Fund Appropriation .....	\$ 2,182.53
Motor Vehicle Fund Appropriation .....	\$ 39,645.25
Public Service Revolving Fund Appropriation .....	\$ 3,116.42
Administrative Contingency Fund Appropriation .....	\$ 298.32
Agricultural Local Fund Accounts Fund Appropriation .....	\$ 1,391.17
Horticultural Districts Fund Appropriation .....	\$ 413.22
General Local Fund Appropriation .....	\$ 156.60
Clarke—McNary Fund Appropriation .....	\$ 1,681.16
General Administration Facilities and Services Revolving Fund Appropriation .....	\$ 358.06
Liquor Board Revolving Fund Appropriation .....	\$ 36.25
Retirement System Expense Fund Appropriation .....	\$ 1,083.73
Accident Fund Appropriation .....	\$ 1,181.51
Medical Aid Fund Appropriation .....	\$ 654.48
Teachers' Retirement Fund Appropriation .....	\$ 50.40
Total Appropriation .....	\$ 71,746.43

SUNDRY CLAIMS

General Fund Appropriations for relief of various individuals, firms, and corporations for sundry reasons to be disbursed on vouchers approved by the State Auditor as follows:

(1) For restoration of funds from the Washington State Public Employees' Retirement System	
FRED R. BOHME .....	\$ 418.74
GEORGIA ANN COMPTON .....	\$ 248.61
VERA M. HARMA .....	\$ 728.26
MARION M. FREITAG .....	\$ 908.99
SIDNEY W. FUNDIN .....	\$ 530.07
(2) Payment for transcribing statement of facts for appeals of indigents:	
VIVIAN E. ROBINSON—# 4855 .....	\$ 76.50
NORENE CAMPBELL—# IIII-II .....	\$ 67.50
KATRINA A. HAMMERICH—# 752375 .....	\$ 838.00
IRENE GAY—# 709032 .....	\$ 129.60
ELAINE E. URGUHART—# 5162 .....	\$ 271.50
CATHERINE WILLIAMS—# 63120 .....	\$ 35.15
VIVIAN E. ROBINSON—# 64427 .....	\$ 483.00
(3) PARADISE SKI TOWS, INC., For refund of gas tax paid .....	\$ 117.45
(4) MONTGOMERY, PURDUE, BLANKENSHIP, AND AUSTIN, For payment of attorney fees in Washington State Supreme Court causes # 42570 and # 42571 .....	\$ 15,676.00
(5) FRANCIS E. NELSON, Payment for destruction of residence by inmate at Rainier School: PROVIDED, That the state auditor is authorized and directed to draw up a separate warrant with voucher, such voucher to be presigned by Francis E. Nelson prior to release of the warrant, which voucher shall state: "The acceptance of this amount releases the state of Washington and all of its political subdivisions, and their agents, of further claims arising out of the destruction of the residence of the claimant by an inmate at Rainier School" .....	\$ 18,500.00
(6) GARY F. BASS, For attorney fees and costs for representing Francis E. Nelson: PROVIDED, That the state auditor is authorized and directed to draw up a separate warrant with voucher, such voucher to be presigned by Gary F. Bass prior to the release of the warrant, which voucher shall state: "The acceptance of this amount relieves the state of Washington of any further claims by me for legal services on behalf of Francis E. Nelson and satisfies any claim for legal services I have against my client, Francis E. Nelson, for representing her in the case involving the destruction of residence by an inmate of Rainier School" .....	\$ 3,500.00
(7) WESTRADE, INC., Payment for refund of utility tax .....	\$ 14,627.09
(8) DEPARTMENT OF EMPLOYMENT SECURITY, Refund of "Emergency Employment Act" funds .....	\$ 17,001.76
(9) Payment for loss of personal property lost in armed robbery at liquor store:	
JOSEPH MATSUYAKI .....	\$ 38.50
WILBUR WRIGHT .....	\$ 38.00
IRVING R. SEVENSON .....	\$ 32.00
(10) Payment for loss of personal tools stolen from Department of Highways Maintenance Shop:	
HERCHEL L. HAMNER .....	\$ 382.48
ESTATE OF RICHARD F. PICKERING .....	\$ 377.58

(11) INGRAM, LELASKO, AND GOODWIN, For payment of legal services for representing an indigent, # 1452-II .....	\$ 1,019.90
(12) STANFORD RESEARCH INSTITUTE, For services rendered at Francis-Hadden Morgan Children's Center .....	\$ 25,413.00
(13) CAWDREY AND VEMO, INC., For payment of judgment against the State of Washington, # 768324 .....	\$ 175,000.00
(14) JOHN LOWRIE, For payment of judgment against the State of Washington, # 18000 .....	\$ 371.00
(15) For payments to widows of policemen in lieu of pension: PROVIDED, That the state auditor is authorized and directed to establish such allocation arrangements so as to reduce, to the extent possible, any ineligibility for public assistance that the recipient may be subject to as a result of this appropriation: PROVIDED FURTHER, That the state auditor shall not make an allocation to a recipient named herein if such recipient is deceased on or before the effective date of this act:	
ALICE KLOAK .....	\$ 1,428.00
MRS. GEORGE HOODE .....	\$ 1,678.00
CLAIRE TELLING .....	\$ 2,000.00
JEAN RICHARDSON .....	\$ 1,964.00
MRS. SIGNORA HALE .....	\$ 1,357.00
PAT STOWE .....	\$ 1,749.00
MARGARET PLAYFORD .....	\$ 1,714.00
ELIZABETH DICKINSON .....	\$ 1,178.00
SUZAN KENT .....	\$ 1,035.00
ADA AASLAND .....	\$ 1,357.00
MILDRED JORDAN (Now MRS. WM. KEHOE) .....	\$ 2,000.00
MRS. GLADYS DUGGINS .....	\$ 1,464.00
MRS. FAYE KEMPER .....	\$ 1,392.00
JEANIE OVERHOLT .....	\$ 1,357.00
ERMA E. BETTINGER .....	\$ 2,000.00
MAUDE COX .....	\$ 1,678.00
LEVA JOHNSON .....	\$ 1,642.00
MYRTLE MANNING .....	\$ 1,535.00
VIVIAN SEXSMITH .....	\$ 1,607.00
FANNY WAGNER .....	\$ 1,428.00
BERTHA SAVAGE .....	\$ 1,821.00
ALVETA JOHNSON .....	\$ 1,214.00
BETTY WARREN .....	\$ 1,892.00
VIOLET FARRAR .....	\$ 1,785.00
MARION OLMSTEAD .....	\$ 1,607.00
MARY LYONS .....	\$ 1,678.00
MARIE HERBST .....	\$ 1,821.00
MARY LUNDBERG .....	\$ 1,642.00
HELEN PENN .....	\$ 1,749.00
INA BERGLUND .....	\$ 1,464.00
GRACE JENSEN .....	\$ 1,749.00
FRANCES FINNEL .....	\$ 1,249.00
ESTHER SNYDER .....	\$ 1,428.00
HAZEL BOLEN .....	\$ 1,428.00
MAY COVELL .....	\$ 1,535.00
PAULINE RAMBO .....	\$ 1,464.00
EDNA OAKES .....	\$ 1,642.00
EVA ROBBINS .....	\$ 1,535.00
RUTH HOUSEHOLDER .....	\$ 1,249.00
GERTRUDE HALLSON .....	\$ 1,857.00
RUTH BIGHAM .....	\$ 1,785.00
ADELSA DOPH .....	\$ 1,607.00
JANETTE CASE .....	\$ 1,607.00
LELA HINTON .....	\$ 1,284.00
ALICE JORDAN .....	\$ 1,214.00
MILDRED KENNEDY .....	\$ 1,607.00
ROSA MARCY .....	\$ 2,000.00

## PUBLIC ASSISTANCE BELATED CLAIMS

General Fund Appropriation to the department of social and health services for various vendors in full settlement of services rendered to welfare patients to be paid at the rate of fifty percent of each late billing received for services rendered, on vouchers approved by the department of social and health services .....	\$ 401,417.00
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## CRIMINAL COST BILLS

General Fund Appropriation reimbursing counties for various cost bills in felony cases to be disbursed on vouchers approved by the state auditor:

TREASURER, CLARK COUNTY .....	\$	19.90
TREASURER, GRANT COUNTY .....	\$	123.40
TREASURER, KING COUNTY .....	\$	18,255.05
TREASURER, KITSAP COUNTY .....	\$	1,779.80
TREASURER, OKANOGAN COUNTY .....	\$	3,446.00
TREASURER, PIERCE COUNTY .....	\$	1,479.00
TREASURER, SNOHOMISH COUNTY .....	\$	1,028.70
TREASURER, SPOKANE COUNTY .....	\$	449.60
TREASURER, WALLA WALLA COUNTY .....	\$	682.90
TREASURER, WHATCOM COUNTY .....	\$	176.50
TREASURER, WHITMAN COUNTY .....	\$	677.30
TREASURER, YAKIMA COUNTY .....	\$	800.20

## ELECTION COSTS

General Fund Appropriation reimbursing counties for the state's share of election costs:

ADAMS COUNTY .....	\$	3,129.64
ASOTIN COUNTY .....	\$	2,564.43
BENTON COUNTY .....	\$	4,993.27
CHELAN COUNTY .....	\$	7,554.96
CLALLAM COUNTY .....	\$	4,501.38
CLARK COUNTY .....	\$	13,700.39
COLUMBIA COUNTY .....	\$	671.40
COWLITZ COUNTY .....	\$	8,180.41
DOUGLAS COUNTY .....	\$	3,175.00
FERRY COUNTY .....	\$	2,165.45
FRANKLIN COUNTY .....	\$	1,531.96
GARFIELD COUNTY .....	\$	776.68
GRANT COUNTY .....	\$	5,817.58
GRAYS HARBOR COUNTY .....	\$	5,976.53
ISLAND COUNTY .....	\$	4,980.01
JEFFERSON COUNTY .....	\$	2,023.83
KING COUNTY .....	\$	96,872.20
KITSAP COUNTY .....	\$	7,729.22
KITTITAS COUNTY .....	\$	4,585.08
KLICKITAT COUNTY .....	\$	2,828.19
LEWIS COUNTY .....	\$	4,792.43
LINCOLN COUNTY .....	\$	1,673.26
MASON COUNTY .....	\$	3,216.75
OKANOGAN COUNTY .....	\$	4,571.08
PACIFIC COUNTY .....	\$	4,996.39
PEND OREILLE COUNTY .....	\$	1,115.07
PIERCE COUNTY .....	\$	19,979.18
SAN JUAN COUNTY .....	\$	1,357.00
SKAGIT COUNTY .....	\$	5,703.13
SKAMANIA COUNTY .....	\$	684.39
SNOHOMISH COUNTY .....	\$	11,351.20
SPOKANE COUNTY .....	\$	29,500.93
STEVENS COUNTY .....	\$	1,538.38
THURSTON COUNTY .....	\$	10,359.95
WAKIAKUM COUNTY .....	\$	1,489.60
WALLA WALLA COUNTY .....	\$	5,844.55
WHATCOM COUNTY .....	\$	9,795.78
WHITMAN COUNTY .....	\$	7,750.82
YAKIMA COUNTY .....	\$	13,580.15

NEW SECTION. Sec. 187. In accordance with the provisions of this section the office of program planning and fiscal management shall use the allotment process during the 1975-77 biennium to control the funding of the formula portion of the instruction and departmental research programs of all the four year institutions of higher education and the community colleges. For the purpose of the controls outlined in this section, deviations in the formula entitlements for faculty staffing shall be the controlling factor. For the purpose of this section, the "contract level" is defined as the formula entitlement level upon which the budget is based, and the "base level" is defined as the formula entitlement level corresponding to the prior year's contract or actual enrollment level, whichever is lower. Controls shall be applied to each four year institution separately and to the community college education system as a total entity. "Growth funding" is defined as that portion of the appropriation by which the contract level exceeds the base level. All growth funds shall be reserved at the time of annual allotments. Such reserves shall be released only to the extent that the contract level is achieved, based upon the office of program planning and fiscal management's

population studies section projections of full year enrollments from actual enrollments on the tenth day of the fall term. Growth funding not so released shall lapse at the end of a fiscal year. In any case where actual formula faculty entitlement, as computed from full year enrollments in spring, exceeds the contract level by more than one and one-half percent, appropriated funds equal in amount to the student operating fees derived from such excess enrollment shall be withheld during the same or subsequent year and shall revert to the state general fund following the close of the 1975-1977 biennium.

**NEW SECTION. Sec. 188.** Notwithstanding the provisions of chapter 82, Laws of 1973 1st ex. sess. the house of representatives, the senate, and the permanent statutory committees shall pay expenses quarterly to the department of general administration, general administration facilities and revolving account, for services rendered by the department for operation, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1975.

**NEW SECTION. Sec. 189.** No agency shall reallocate authorized personnel board positions in such a manner that the net cost impact of such reallocations upward and downward will increase agency expenditures for salaries and wages.

**NEW SECTION. Sec. 190.** All or any portion of the funds provided in sections 149 through 164 of this act for allocation to school districts shall be withheld by the superintendent of public instruction from any school district which expends moneys in excess of such districts certified budget or budget extensions thereto as filed with the office of the superintendent of public instruction and the state board of education.

**NEW SECTION. Sec. 191.** Every state agency other than institutions of higher education, common school or intermediate school districts, and the legislature, shall have withheld from the allotments or series of allotments to be made to such agencies by the office of program planning and fiscal management during the fiscal year 1977 an amount of money equal to not less than three percent of the funds available for expenditure by each such agency for full time equivalent staff years from the appropriations contained in this act.

**NEW SECTION. Sec. 192.** Any state agency which receives funds pursuant to the provisions of this act and utilizes any portion of such funds for grants to local public bodies shall not withhold consideration of potential grant projects for local public bodies located within the Trident impact area merely on the basis that federal funds for the same or similar services and/or projects are or will be available at the present time or at some future date.

**NEW SECTION. Sec. 193.** If any municipality, which shall have pledged the revenue from the special excise tax authorized by RCW 35.58.273 to secure the payment of all or any part of the principal or interest on any general obligation bonds or revenue bonds issued pursuant to RCW 35.58.279, does not receive state transit assistance sufficient to meet such bond obligations, there is hereby appropriated from the general fund the sum of \$3,000,000, or so much thereof as shall be necessary, to the state treasurer who shall distribute to each such municipality a sum equal to such bond obligation.

**NEW SECTION. Sec. 194.** It is the expressed intention of the legislature that agency operational activity will be regularly monitored by the office of program planning and fiscal management, under their statutory authority relating to the allotment control function, in order to limit fluctuations in biennial spending patterns which tend to inflate the final current level base. Particular control emphasis will be placed on those instances in which biennial full time equivalent employment authorization is deliberately delayed in order to increase the agency position count as substantiation for the ensuing biennial request. Unanticipated receipts, which are authorized and expended by any state agency, shall not be used as the basis for expansion of current level full time equivalents, as it relates to legislative appropriations made prior to such authorization, unless definite assurance is made of continuation of funds from the specific source involved.

**NEW SECTION. Sec. 195.** (1) Federal funds, which were not anticipated relative to the appropriations enacted on the budget approved by the legislature for the biennium ending June 30, 1977, for programs financed from both state and federal revenues, shall be used in lieu of moneys from state or local revenue sources unless prohibited by federal law, rule, regulation or other restriction. The provisions of RCW 43.79.260 through 43.79.280 shall not apply to authorize expenditures beyond either budgeted or appropriated amounts from federal funds subject to this subsection. Exceptions to the rule imposed by this subsection may be granted by the legislature if in session or by the legislative budget committee or its statutory successor during the interim between legislative sessions or when the legislature has been in recess for three days or more.

(2) Notwithstanding the provisions of RCW 43.79.260 through 43.79.280 federal funds which are not subject to subsection (1) of this section and which were not anticipated relative to appropriations enacted or the budget approved by the legislature shall not be allotted for expenditure in excess of either appropriations provided by law or the budget approved by the legislature for the biennium ending June 30, 1977, without prior approval of the legislature if in session or by the legislative budget committee or its statutory successor during the interim between legislative sessions or when the legislature has been in recess for three days or more.

(3) Notwithstanding the provisions of RCW 43.79.260 through 43.79.280 any unanticipated state or local revenues to appropriated funds or accounts shall not be allocated for expenditure in excess of appropriations provided by law or budget approved by the legislature for the biennium ending June 30, 1977, without prior approval of the legislature if in session or by the legislative budget committee or its statutory successor during the interim between legislative sessions or when the legislature has been in recess for three days or more.

NEW SECTION. Sec. 196. The word "agency" used in this act, unless the context requires otherwise, means and includes every state government office, officer, each institution, whether educational, correctional, or other, and every department, division, board, and commission, except as otherwise provided in this act.

The phrase "agencies headed by elective officials" used herein shall mean those executive offices or departments of the state which are directly supervised, administered, or controlled by the governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, or insurance commissioner, but it shall not include those boards, commissions, or committees on which one or more of the above-mentioned officials serve.

NEW SECTION. Sec. 197. In order to carry out the provisions of these appropriations and the state budget, the director of the Office of Program Planning and Fiscal Management with the approval of the governor, may:

(1) Allot all of any portion of the funds herein appropriated or included in the state budget, to the various agencies by such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment: PROVIDED, That the director of the office of program planning and fiscal management shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following: Washington State Apple Advertising Commission; Washington State Fruit Commission; Washington Dairy Products Commission or any agricultural commodity commission created under the provisions of chapter 15.66 RCW; the legislative branch of state government including the legislative budget committee, the statute law committee, and any legislative committee; or the judicial branch of state government: PROVIDED FURTHER, That the aggregate of allotments for any agency shall not exceed the total of applicable appropriations and local funds available to the agency concerned. It shall be unlawful for any officer or employee to incur obligations in excess of approved allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revisions of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1975; for the sole purpose of authorizing agencies to order goods, supplies, or services for delivery after July 1, 1975: PROVIDED, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1975.

NEW SECTION. Sec. 198. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or in the appropriations enacted by the legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources.

NEW SECTION. Sec. 199. In the event that receipts shall be less than those estimated in the budget from any source expenditures shall be limited to the amount received and allotments made as provided in section 193 of this act. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

NEW SECTION. Sec. 200. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 201. Agencies are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

NEW SECTION. Sec. 202. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the director of the office of program planning and fiscal management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriation shall be necessary to effect such repayment.

NEW SECTION. Sec. 203. In addition to the amounts appropriated in this act for revenue for distribution, excluding those funds appropriated for urban mass transit assistance, and bond retirement and interest, and interest on registered warrants, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

NEW SECTION. Sec. 204. Amounts received by an agency as reimbursements pursuant to RCW 43.09.210 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office of program planning and fiscal management which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment



and services and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

**NEW SECTION.** Sec. 205. In order to obtain maximum interagency use of aircraft, the Aeronautics Commission, in accordance with RCW 43.09.210 and chapter 39.34 RCW is hereby authorized to lease, purchase or otherwise acquire suitable aircraft which shall be utilized for the purposes of the Aeronautics Commission and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: **PROVIDED**, That the Aeronautics Commission is further authorized to enter into contractual agreements with other state agencies in order to acquire aircraft, establish rental rates for aircraft under their control, provide pilot services, aircraft maintenance and make such other provisions as necessary to provide aircraft and related services for multi-agency use: **PROVIDED FURTHER**, That in order to achieve economy in the use of the appropriations contained within this act no state agency may purchase or otherwise acquire an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Aeronautics Commission and without prior approval of the director of the office of program planning and fiscal management.

**NEW SECTION.** Sec. 206. From the amounts appropriated to the senate and the house of representatives for the expenses and costs of the legislature by section 2, chapter 16, Laws of 1975 1st ex. sess., the senate and house of representatives respectively shall reimburse their members in quarterly amounts of not to exceed one hundred fifty dollars upon presentation of vouchers by a member claiming reimbursement for interim expenses and certified by him that his expenses for such three month period were equal to or in excess of one hundred fifty dollars.

**NEW SECTION.** Sec. 207. In making expenditures for the salaries of state officers and employees, transfer from one branch of state government to another or within the legislative branch shall be deemed a termination of employment within the meaning of RCW 43.01.041 provided the officer or employee so transferred elects to receive accrued vacation leave by written notice filed with both the transferor and transferee employer at least five days preceding the effective date of the transfer.

**NEW SECTION.** Sec. 208. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 209. This 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.

Signed by Senators Donohue, Newschwander, Odegaard; Representatives Bagnariol, Shipoch, Polk.

#### MOTION

Mr. Shipoch moved that the House do adopt the report of the Free Conference Committee.

Representatives Shipoch and Bagnariol spoke in favor of the motion.

Mr. Charette demanded an oral roll call.

Representatives Polk, Shipoch and Freeman spoke in favor of the motion to adopt the Free Conference Report, and Representatives Zimmerman, Peterson, Hurley (George), Brown and Valle spoke against it.

Mr. Bagnariol closed debate, speaking again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to adopt the report of the Free Conference Committee on Engrossed Substitute House Bill No. 866, and the motion was carried by the following vote: Yeas, 46; nays, 42; not voting, 10.

Voting yea: Representatives Amen, Bagnariol, Bausch, Becker, Berentson, Boldt, Bond, Ceccarelli, Charette, Chatalas, Conner, Curtis, Deccio, Erickson, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Hansen, Haussler, Hayner, Jastad, Kilbury, Knowles, Luders, Martinis, Matthews, May, McCormick, Moreau, Newhouse, North, O'Brien, Parker, Patterson, Polk, Savage, Schumaker, Seeberger, Shipoch, Smith E. P., Sommers, Tilly, Whiteside, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Bender, Blair, Brown, Chandler, Charnley, Clemente, Cochrane, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Fischer, Fortson, Gaines, Greengo, Haley, Hanna, Hansey, Hawkins, Hendricks, Hurley G. S., King, Laughlin, Leckenby, Lee, Lysen, Maxie, McKibbin, Moon, Nelson, Pardini, Peterson, Sherman, Smith R., Valle, Warnke, Williams, Wojahn, Zimmerman.

Not voting: Representatives Adams, Hurley M., Jueling, Kalich, Kuehnle, Paris, Perry, Randall, Thompson, Wilson.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 866 as amended by the Free Conference Committee.

Representatives Greengo and Lee spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 866 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 50; nays, 38; not voting, 10.

Voting yea: Representatives Amen, Bagnariol, Bausch, Becker, Berentson, Boldt, Bond, Ceccarelli, Charette, Chatalas, Conner, Curtis, Deccio, Ehlers, Erickson, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Jastad, Kilbury, Knowles, Luders, Martinis, Matthews, May, McCormick, Moreau, Newhouse, North, O'Brien, Parker, Patterson, Polk, Savage, Schumaker, Seeberger, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Warnke, Whiteside, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Bender, Blair, Brown, Chandler, Charnley, Clemente, Cochrane, Douthwaite, Dunlap, Eikenberry, Eng, Fischer, Fortson, Gaines, Greengo, Haley, Hanna, Hawkins, Hendricks, Hurley G. S., King, Laughlin, Leckenby, Lee, Lysen, Maxie, McKibbin, Moon, Nelson, Pardini, Peterson, Sherman, Valle, Williams, Wojahn, Zimmerman.

Not voting: Representatives Adams, Hurley M., Juelling, Kalich, Kuehnle, Paris, Perry, Randall, Thompson, Wilson.

Engrossed Substitute House Bill No. 866 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 206, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 206, adopting the capital budget, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Donohue, Newschwander, Odegaard; Representatives Shinpoch, Bagnariol, Polk.

MOTION

On motion of Mr. Bagnariol, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, making certain corrections and adjustments in the tax laws, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Odegaard, Lewis (Harry), McDermott; Representatives Sommers, Erickson, Newhouse.

MOTION

On motion of Ms. Sommers, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## REPORT OF CONFERENCE COMMITTEE

June 7, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2346, changing requirements relating to sale of real property by school districts, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Stortini, Matson, Woody; Representatives Bauer, Hurley (George), Brown.

## MOTION

On motion of Mr. Bauer, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 378, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 378, prescribing procedures for the collection, analysis, and reporting of statistical information on file by the state fire marshal, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Rasmussen, Clarke, Marsh; Representatives Moon, Haussler.

## MOTION

On motion of Mr. Haussler, the House adopted the report of the Conference Committee on Substitute House Bill No. 378 and granted the committee the powers of Free Conference.

## MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate adheres to its position and refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 483 on page 5, line 1 before "by" and on page 7, line 21, and insists the House concur therewith, and said bill, together with the Senate amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Shinpoch, the House insisted on its position with regard to Engrossed Substitute House Bill No. 483, and again asked the Senate to recede.

## MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 827, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 827, relating to changes in public disclosure provisions, have had the same under consideration, and we report that we are unable to agree and request the powers of Free Conference for the purpose of amending the bill.

Signed by Senators Beck, Scott, Woody; Representatives King, Fortson, Hayner.

## MOTION

On motion of Mr. King, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## REPORT OF CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2210, authorizing fees for optional noncredit extracurricular events of school districts and providing for their disposition, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Stortini, Gould, Van Hollebeke; Representatives Bauer, Gaspard, Berentson.

## MOTION

On motion of Mr. Bauer, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

June 8, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 561,

HOUSE BILL NO. 587,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. O'Brien, the House adjourned until 10:00 a.m., Monday, June 9, 1975.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTY-EIGHTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Monday, June 9, 1975.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Gallagher, Hendricks, Hurley (Margaret), Juelling, Kalich, Knowles, Kuehnle, McCormick, Nelson, Perry, Randall, Seeberger, Thompson and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jody Jensen and Denny Gabriel. Prayer was offered by the Reverend Charles M. Loyer of the Westminster United Presbyterian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 867, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report, is herewith transmitted.

Bill Gleason, Assistant Secretary.

### REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 867, appropriating funds for the Washington Future program, have had the same under consideration, and we recommend that the bill be amended as follows:

That the Senate Committee Amendment by the Committee on Ways and Means be adopted with the following amendments to the amendment:

On page 2, line 3 after "agreements:" strike all the material down to and including "representatives" on line 6 and insert "PROVIDED, That such funding for the Second Bacon Siphon and Tunnel, whether in the form of a grant, loan, or combination thereof, shall be contingent on approval by the ways and means committees of the senate and house of the department's negotiations on the funding and financing thereof with the United States Bureau of Reclamation and related federal and local agencies"

On page 5, line 34 after "funded" and before the period, insert ": PROVIDED, HOWEVER, That the department shall inform the ways and means committees of the senate and house of representatives as to the projects which have been preliminarily selected for approval, and as to the proposed terms and conditions of financing related to each such project, at least 30 days prior to the commitment of any state funds under this act"

Signed by Senators Wilson, Benitz, Jolly; Representatives Kilbury, Amen, Boldt.

### MOTION

On motion of Mr. Kilbury, the report of the Free Conference Committee was adopted.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 867 as amended by the Free Conference Committee.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 867 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 71; nays, 2; not voting, 25.

Voting yea: Representatives Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kilbury, King, Leckenby, Lysen, Martinis, Matthews, May, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Fischer.

Not voting: Representatives Adams, Brown, Charnley, Eng, Fortson, Gallagher, Haley, Hurley G. S., Hurley M., Jueling, Kalich, Knowles, Kuehnle, Lee, Luders, Maxie, McCormick, Nelson, Perry, Randall, Seeberger, Smith R., Thompson, Wilson.

Substitute House Bill No. 867 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 972, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 972, authorizing bonds for social and health services facilities, have had the same under consideration, and we recommend that the bill be amended as follows:

Amend the Senate amendment to page 1, line 13 as follows: On the last line of the amendment strike "twenty-two million" and insert "twenty-three million six hundred twenty thousand"

And concur in the Senate amendment to page 2, line 32, before "bond" strike "facilities" and insert "construction"

Signed by Senators Donohue, Odegaard, Newschwander; Representatives Shipoch, Bagnariol, Polk.

#### MOTION

On motion of Mr. Bagnariol, the report of the Free Conference Committee was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 972 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 972 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 70; nays, 2; not voting, 26.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Jastad, Kilbury, King, Laughlin, Leckenby, Lysen, Martinis, Matthews, May, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Patterson, Polk, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bond, Fischer.

Not voting: Representatives Adams, Brown, Chandler, Charnley, Eng, Fortson, Gallagher, Hurley G. S., Hurley M., Jueling, Kalich, Knowles, Kuehnle, Lee, Luders, Maxie, McCormick, Nelson, Parker, Perry, Peterson, Randall, Savage, Seeberger, Thompson, Wilson.

Engrossed Substitute House Bill No. 972 as amended by the Free Conference Committee, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1143, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 1143, authorizing issuance of bonds for certain community college projects, have had the same under consideration, and we recommend that the bill be amended as follows:

That the following Senate amendments be adopted:

On line 6 of the title; on page 1, line 28; on page 2, line 35; on page 4, striking all of section 11;

That the amendment to page 2, line 5 be amended as follows:

On the fifth and sixth lines of the amendment, strike "five hundred and ten" and insert "seven hundred seventy-six"

Signed by Senators Donohue, Newschwander, Odegaard; Representatives Shinpoch, Bagnariol, Polk.

## MOTION

On motion of Mr. Bagnariol, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1143 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1143 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 70; nays, 3; not voting, 25.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Laughlin, Leckenby, Lysen, Martinis, Matthews, May, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Polk, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Fischer, Haley, Wojahn.

Not voting: Representatives Adams, Brown, Charnley, Douthwaite, Eng, Fortson, Gallagher, Gaspard, Hurley M., Jueling, Kalich, Knowles, Kuehne, Lee, Luders, Maxie, McCormick, Nelson, Perry, Peterson, Randall, Seeberger, Smith R., Thompson, Wilson.

Engrossed Substitute House Bill No. 1143 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House advanced to the sixth order of business.

## SECOND READING

On motion of Mr. Shinpoch, the Committee on Ways and Means – Appropriations was relieved of Engrossed Senate Bill No. 2886, and the bill was ordered placed on the second reading calendar.

ENGROSSED SENATE BILL NO. 2046 as amended by the House, by Senators Walgren, Beck and Talley:

Declaring that fishing derbies are not gambling and removing them from regulation by the gambling commission.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

## MOTION FOR RECONSIDERATION

Mr. Warnke moved that the rules be suspended, and the House reconsider the vote by which the committee amendment to page 1, line 13 was adopted.

Mr. Warnke spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Pardini.

Mr. Pardini: "What are you going to reinsert?"

Mr. Warnke: "The entire first section, which is the legislative intent; otherwise it won't be any good."

The motion to reconsider carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of the committee amendment to page 1, line 13.

Mr. Warnke moved that the House do not adopt the committee amendment to page 1, line 13, and the motion was carried.

On motion of Mr. Warnke, the committee amendment to page 4, line 36 was adopted.

On motion of Mr. Warnke, the following amendments by Representative Smith (Rick) were adopted:

On page 2, section 1, line 9 of the printed bill after "that" strike all material through and including "they" on line 10 and insert "fishing derbies"

On page 4, line 35 after "contest" and before the comma on line 36 strike "not conducted for profit"

The Clerk read the following amendment by Representatives Dunlap and Erickson:

On page 3, section 2, line 8 insert the following:

"Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter."

## POINT OF ORDER

Mr. Warnke: "Mr. Speaker, I would like a ruling on the amendment, on the scope and object. The intent of the bill before us is only to deal with fishing derbies; the amendment intends to broaden the scope of the act and to allow further gambling activities than just fishing derbies."

Mr. Dunlap: "I would like to say that this bill was rather thoroughly covered yesterday in House Bill No. 212 as it relates to this bill. The object of the amendment is to try to put back into Senate Bill No. 2046 what a number of us believe to be some of the more important ingredients that were stricken from HB 212, specifically, the ability of groups like the PTSA to run carnivals and conduct some of the very small-scale gambling activities subject to the stringent requirements that you see described in this amendment."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It appears from the contents of the amendment, that it doesn't actually have anything to do with fishing derbies and therefore no motion or



proposition differing from that under consideration shall be admitted under color of amendment. On that basis, since it is not dealing with fishing derbies, the Speaker will rule it out of order."

The Clerk read the following amendment by Representatives Dunlap and Erickson:

On page 7, line 36 after subsection (h) insert the following:

"(i) The payment of an admission fee to gain admission to any agricultural fair authorized under chapters 15.76 or 36.37 RCW, where (a) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (b) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme."

#### POINT OF ORDER

Mr. Warnke: "I would like to have a ruling on the scope and object of that amendment."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The ruling will be the same as the previous amendment relative to scope and object and the question before us."

The Clerk read the following amendment by Representatives Dunlap and Erickson:

On page 11, section 3, line 12 following subsection (l) insert a new subsection as follows:

"(2) Bona fide charitable or bona fide nonprofit organizations are hereby authorized to conduct bingo, raffles and amusement games, without obtaining a license to do so from the commission only when: (a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW, and other applicable laws and rules of the commission; (b) said activities are conducted no more than twice each calendar year over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2); (c) only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the games; (d) gross revenue from all the activities does not exceed three thousand dollars during any calendar year; (e) all revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualified as such an organization; (f) the organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities and the date or dates they will be conducted; and (g) the organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

Any organization conducting these activities under this subsection may not obtain a license to conduct any such activities from the commission during the same calendar year.

(3)"

Renumber the remaining subsections consecutively.

#### POINT OF ORDER

Mr. Warnke: "I would raise the point of scope and object on this amendment."

#### MOTION

Mr. Newhouse moved that the rules be suspended to allow consideration of the Dunlap/Erickson amendments ruled beyond the scope and object, and to allow consideration of the amendment to page 11.

Mr. Newhouse spoke in favor of the motion.

Mr. Conner demanded an electric roll call and the demand was sustained.

Mr. Warnke spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and allow consideration of the Dunlap/Erickson amendments, and the motion was lost by the following vote: Yeas, 38; nays, 38; not voting, 22.

Voting yea: Representatives Barnes, Becker, Berentson, Boldt, Bond, Chandler, Cochrane, Curtis, Deccio, Dunlap, Eikenberry, Erickson, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hawkins, Hayner, Hendricks, Leckenby, Lee, Matthews, Moreau, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Smith R., Sommers, Tilly, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Bender, Blair, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Fischer, Gaines, Gaspard, Hanna, Hansen, Haussler, Hurley G. S.,

Jastad, Kilbury, Laughlin, Lysen, Martinis, Maxie, May, McKibbin, Moon, North, O'Brien, Parker, Savage, Sherman, Shipoch, Smith E. P., Valle, Warnke, Wojahn.

Not voting: Representatives Adams, Amen, Brown, Ceccarelli, Charnley, Fortson, Gallagher, Hurley M., Jueling, Kalich, King, Knowles, Kuehnle, Luders, McCormick, Nelson, Perry, Randall, Seeberger, Thompson, Wilson, and Mr. Speaker.

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Warnke raised a point of order on the last amendment by Representative Dunlap and Erickson, to page 11, line 12. The same ruling will apply to this amendment. It is declared out of order."

On motion of Mr. Warnke, the committee amendment to the title was not adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2046 as amended by the House be placed on final passage.

Mr. Pardini spoke against the motion.

Mr. Conner demanded an electric roll call and the demand was sustained.

Mr. Smith (Rick) spoke in favor of the motion.

#### POINT OF ORDER

Mr. Polk: "Mr. Smith is not speaking to the subject matter of suspending the rules. He's talking about the federal government, what prosecutors can do, and so on, and is just not confining his remarks at all to the motion to suspend the rules."

The Speaker (Mr. O'Brien presiding): "This is a difficult question and a difficult point. Representative Pardini went a little far afield, too. Will you hold your remarks to the question, Mr. Smith?"

Mr. Smith (Rick) concluded his remarks in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Senate Bill No. 2046 as amended by the House to third reading and final passage, and the motion was lost by the following vote: Yeas, 54; nays, 28; not voting, 16.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Ehlers, Eikenberry, Eng, Fischer, Fortson, Gaines, Gaspard, Haley, Hanna, Hansen, Haussler, Hawkins, Hendricks, Hurley G. S., Jastad, Kilbury, King, Laughlin, Luders, Lysen, Martinis, May, McKibbin, Moon, Moreau, North, O'Brien, Parker, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Bond, Chandler, Curtis, Deccio, Douthwaite, Dunlap, Erickson, Flanagan, Freeman, Gilleland, Greengo, Hansey, Hayner, Leckenby, Lee, Matthews, Maxie, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Tilly, Whiteside, Zimmerman.

Not voting: Representatives Adams, Brown, Charnley, Gallagher, Hurley M., Jueling, Kalich, Knowles, Kuehnle, McCormick, Nelson, Perry, Randall, Seeberger, Thompson, Wilson.

Engrossed Senate Bill No. 2046 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2886, by Senator Donohue:

Authorizing bond issue for construction of executive offices.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2886 was placed on final passage.

Mr. Shipoch spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2886, and the bill passed the House by the following vote: Yeas, 63; nays, 16; not voting, 19.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bausch, Becker, Bender, Berentson, Boldt, Bond, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Kilbury, King, Laughlin, Leckenby, Lee, Luders,

Lysen, Martinis, May, Moon, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Tilly, Warnke, Whiteside, and Mr. Speaker.

Voting nay: Representatives Bauer, Blair, Chandler, Cochrane, Douthwaite, Fischer, Haley, Hawkins, Hurley G. S., Matthews, Maxie, McKibbin, Paris, Williams, Wojahn, Zimmerman.

Not voting: Representatives Adams, Brown, Gallagher, Hurley M., Jueling, Kalich, Knowles, Kuehnle, McCormick, Moreau, Nelson, Perry, Randall, Seeberger, Smith R., Sommers, Thompson, Valle, Wilson.

Engrossed Senate Bill No. 2886, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 693, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report, is herewith transmitted.

Bill Gleason, Assistant Secretary.

### REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 693, requiring advertising public contracts in a newspaper in the part of the county where the work is to be done, have had the same under consideration, and we recommend that the bill be amended to read as follows:

On page 1, line 24 after "done" insert "PROVIDED, HOWEVER, That if the county official newspaper is a newspaper of general circulation covering at least forty percent of the residences in that part of the county in which such work is to be done publication of an advertisement of the applicable specifications in the county official newspaper only shall be sufficient"

Signed by Senators Fleming, Marsh, Jones; Representatives North, Haussler, Leckenby.

### MOTION

On motion of Mrs. North, the report of the Free Conference Committee was adopted.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 693 as amended by the Free Conference Committee.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 693 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 70; nays, 5; not voting, 23.

Voting yea: Representatives Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Laughlin, Leckenby, Lee, Matthews, Maxie, May, McKibbin, Moon, Newhouse, North, O'Brien, Paris, Parker, Peterson, Polk, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Ehlers, Fischer, Lysen, Martinis, Pardini.

Not voting: Representatives Adams, Barnes, Brown, Chatalas, Conner, Gallagher, Haley, Hurley M., Jueling, Kalich, Knowles, Kuehnle, Luders, McCormick, Moreau, Nelson, Patterson, Perry, Randall, Seeberger, Thompson, Wilson, Zimmerman.

Substitute House Bill No. 693 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of act.

## MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 310, and said bill, together with the Conference report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 8, 1975

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 310, prescribing allocation of revenue from test fishing operation, have had the same under consideration, and we recommend that the Senate amendment to Engrossed House Bill No. 310 do be adopted.

Signed by Senators Donohue, Lewis (Harry), Peterson; Representatives Martinis, Conner, Hansey.

## MOTION

On motion of Mr. Martinis, the report of the Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 310 as recommended by the Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 310 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 76; nays, 0; not voting, 22.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Matthews, Maxie, May, McKibbin, Moon, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Adams, Bausch, Brown, Fischer, Fortson, Gallagher, Hansen, Hurley M., Juelling, Kalich, Knowles, Kuehnle, McCormick, Moreau, Nelson, Perry, Randall, Savage, Seeburger, Thompson, Wilson, Zimmerman.

Engrossed House Bill No. 310 as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 206, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 206, adopting the capital budget, have had the same under consideration, and we recommend that the bill be amended as follows:

On page 1, beginning on line 11 strike the remainder of the bill and insert the following:

"NEW SECTION. Sec. 2. The legislature finds that present management of capital projects does not always ensure a systematic review of project increments such as planning, design, site acquisition, and construction. Projects are not regularly subjected to independent technical review concerning less costly alternatives nor are such projects regularly considered in context with master planning projections.

The office of program planning and fiscal management, in order to ensure management control, shall prepare a capital construction projects management plan for every item included in this act, except that fire and safety projects and maintenance type projects may be exempted from the master plan and program plan provisions of this section when such exemptions are approved by the office of program planning and fiscal management. Such capital construction projects management plan shall consider, but not necessarily be limited to, the following elements:

- (1) Master plan;
- (2) Program plan;
- (3) Physical plan; and
- (4) Construction.

The management plan shall provide for technical feasibility review of capital projects by the department of general administration and provision for incremental approvals of capital projects.

The management plan for capital projects shall be submitted to the legislature, no later than January 1, 1976, along with the recommendations of the office of program planning and fiscal management and the department of general administration concerning technical feasibility, schedules for the release of funds by project increments, and other pertinent concerns regarding capital projects approved in this act.

For the purposes of this section:

"Master plan" includes, but is not limited to, identification and analysis of present institutional programs and a minimum five year projection thereof; identification and categorization of current physical facilities and an analysis of effectiveness of utilization; an analysis of match between program and necessary physical facilities based on objective standards as developed by appropriate state agencies; and recommendations for sale, purchase, demolition, expansion, renovation, replacement, or relocation of facilities.

"Program plan" relates to a specific project or facility and shall include, but is not limited to, an inventory of amounts and types of space currently available; an analysis of amounts, types, and relative locations of space required for current programs as determined by use of accepted state space standards; an analysis of projected programs and space required; and, if a change in facilities is justified from analysis, recommendations for demolition, remodeling, or construction.

"Physical plan" includes survey and site investigation and architectural and engineering designs.

"Construction" includes detailed budgets and realistic schedules for project implementation.

**NEW SECTION. Sec. 3. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

	Reappropiations	From the Fund Designated
(1) Complete construction of Office Building No. 2, remodeling of Executive Mansion and Insurance Building, structural renovation of Legislative Building, and design Executive Office Building (10,040,000)		
General Fund	50,000	
State Building Construction Account	9,990,000	
(2) Install central chiller plant, air conditioning, and remodel legislative facilities		
State Building Construction Account	1,836,000	
(3) Remodeling and maintenance required on Capitol Campus buildings and grounds (1,271,120)		
Capitol Building Construction Account	300,000	971,120
(4) Continuing maintenance of Deschutes Basin, dam, and area landscaping (35,500)		
Capitol Building Construction Account	5,000	30,500
(5) Acquisition, development and improvements of lands, improvements and facilities within the East Capitol Site		
Capital Purchase and Development Account	100,000	
(6) Remodel and repair of elective officials offices		
Capitol Building Construction Account	86,000	
(7) Remodel State Capitol Museum building (66,500)		
Capitol Building Construction Account	5,000	61,500
(8) Capitol campus master plan (100,000)		
Capitol Building Construction Account	50,000	50,000
(9) Complete construction of Insurance Building renovation, Legislative Building structural repairs, and West Campus chilled water plant		
Capitol Building Construction Account		2,640,487
(10) Revised Oil Delivery and Storage Facility		
Capitol Building Construction Account		124,276

(11) Landscape plaza surrounding Office Building No. 2 State Building Construction Account		250,000
(12) Remodel campus buildings to ensure that all areas of the campus are accessible to the physically handicapped Capitol Building Construction Account		305,000
(13) Embankment repair north of Temple of Justice Capitol Building Construction Account		199,470
(14) Modification to computer area of Office Building No. 2 to include uninterruptable power system, security system, air conditioning and raised flooring State Building Construction Account		1,039,000
(15) Extension of central control and monitoring system of Office Building No. 2 to all campus buildings to provide monitoring of building utility and safety systems such as heating, cooling, fire alarms, and security Capitol Building Construction Account		563,060
(16) Study of all West Campus buildings to determine needed fire protection systems Capitol Building Construction Account		34,160
(17) Extend steam lines to Employment Security Building Capitol Building Construction Account		100,423
(18) Provision of additional funds to offset effects of unan- ticipated cost increases in air conditioning the Legislative Building State Building Construction Account		1,049,067
(19) Engineering planning and design of Capitol Lake rehabilitation State Building Construction Account		425,000
(20) Continuing development of recreation areas around Capitol Lake Capitol Building Construction Account		61,000
(21) Installation of air-conditioning system in General Administration Building Capitol Building Construction Account		160,000
(22) Replace heating and cooling coils and rearrange dampers in the Highways-Licenses Building, Employment Security Building and Archives Building Capitol Building Construction Account		288,092
(23) Renovate Old Capitol Building to conform to health and safety requirements of the Occupational Safety and Health Act, building and fire codes, and to provide access for the physically handicapped State Building Construction Account		3,580,416

NEW SECTION. Sec. 4. FOR THE MILITARY DEPARTMENT

	Reappro- priations	From the Fund Designated
(1) Construct new armory-Aberdeen General Fund		296,950
(2) Construct, repair, remodel buildings and improve facilities General Fund	79,117	
(3) Schematic plans for future projects (19,866) General Fund	11,610	8,256
(4) Architectural and Engineering and other pre-construc- tion work (48,592) General Fund	9,168	39,424
(5) Acquire Land for new Armory-Vancouver General Fund		50,000
(6) Construct new armory-Seattle Seattle Armory Fund *	30,200	
(7) Construct new Armory-Ephrata General Fund		225,000

NEW SECTION. Sec. 5. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

	Reappro- priations	From the Fund Designated
(1) For the Adult Correction Program (a) Construct and equip Automotive Vocational Training Building-Washington State Penitentiary		

General Fund	89,400	
(b) Locking system for wing six—Washington State Penitentiary		
General Fund	8,310	
(c) Fire and safety improvements, Washington State Penitentiary		
General Fund		151,000
(d) Modification of existing laundry facilities, Washington State Reformatory		
CEP & RI Account		130,000
(e) Modernization of resident (inmate) living areas—Washington State Reformatory		
General Fund	477,751	
(f) Construct and equip new Women's Correctional Institution—Purdy Treatment Center for Women (17,229)		
General Fund	10,099	
CEP & RI Account	7,130	
(g) Renovate roofs, Washington Correction Center		
CEP & RI Account		150,000
(h) Construct and equip work release housing unit, Indian Ridge Treatment Center		
General Fund		155,250
(i) Dormitory, kitchen equipment, Larch Mountain Honor Camp		
General Fund		200,000
(j) Firland Correction Center		
DSHS Construction Account (HJR 52)		60,000
(k) Bag house, steam plant, Washington State Reformatory		
DSHS Construction Account (HJR 52)		94,635
(2) For the Juvenile Rehabilitation Program		
(a) Secondary power supply, Naselle Youth Camp		
CEP & RI Account		35,515
(b) Construct and equip four residential living units, Naselle Youth Camp		
DSHS Construction Account (HJR 52)		1,458,000
(c) Remodel kitchen, Mission Creek Youth Camp		
General Fund		59,771
(d) Construct and equip treatment security unit, Maple Lane School		
State Building and Higher Education Construction Account	1,229	
(e) Construct and equip group home		
General Fund	24,763	
(f) Improvements to meet fire marshal recommendation at Green Hill School		
General Fund		70,136
(g) New roof on recreation building at Green Hill School		
General Fund		15,000
(h) Construct covered play area, Naselle Youth Camp		
DSHS Construction Account (HJR 52)		15,000
(3) For the Mental Health Program		
(a) Renovate bathrooms, Eastern State Hospital		
General Fund		40,000
(b) Construct and equip a 150-bed psychiatric hospital (Medical Lake): PROVIDED, That the design and construction of this facility shall be such that it may be expanded by further construction if added beds are required: PROVIDED FURTHER, That no currently existing structure at this facility shall be demolished as a result of this construction		
DSHS Construction Account (HJR 52)		2,995,000
(c) Construct and equip Pharmacy and Central Supply Building, Western State Hospital		
CEP & RI Account	48,583	
(d) Fire alarm and detection, Phase II, Western State Hospital		
General Fund		199,200

(e) Remodel and equip kitchen and dining room; construct Refrigeration Building, Western State Hospital CEP & RI Account	288,965	
(f) Construct and equip a 350-bed psychiatric hospital (Steilacoom) DSHS Construction Account (HJR 52)		6,985,000
(g) Construct and equip one community health center DSHS Construction Account (HJR 52)		800,000
(4) For the Developmental Disabilities Program		
(a) Replace Redwood Hall, Fircrest School (10,064) General Fund	2,968	
State Building and Higher Education Construction Account	7,096	
(b) Construct and equip Activities Building, Fircrest School General Fund	3,337	
(c) Construct a covered outdoor area, Interlake School General Fund	4,819	
(d) Construct and equip an Instructional Services Building, Rainier School State Building and Higher Education Construction Account	16,649	
(e) Renovation, Rainier School DSHS Construction Account (HJR 52)		2,766,432
(f) Upgrade utilities, Phase II, Rainier School General Fund		425,000
(g) Construct and equip dietary addition, Lakeland Village CEP & RI Account	160,433	
(h) Construct lavatory facilities-residential halls, Lakeland Village CEP & RI Account	362,116	
(i) Construct and equip a 225-bed developmental disabilities residential unit and construct and equip dietary addition, Phase II, Lakeland Village DSHS Construction Account (HJR 52)		4,816,271
(j) Repair of road and parking areas, Lakeland Village General Fund		137,780
(k) Repair floors, Lakeland Village General Fund		253,452
(l) Install new elevator, Yakima Valley School General Fund		134,540
(m) Kitchen renovation, School for the Blind General Fund	9,524	
(n) Renovate kitchen, primary area, and Administration Building, School for the Blind General Fund		320,000
(o) Install fire alarms and smoke detectors for four cottages and the primary school at the School for the Blind General Fund		50,000
(p) Install exterior freight only elevator on the existing commissary building at the School for the Blind General Fund		12,500
(q) Construct and equip Advanced Classroom Building, School for the Deaf General Fund	493,921	
(r) Construct a covered outdoor area, School for the Deaf General Fund	21,316	
(s) Remodel kitchen-dining room building at the School for the Deaf General Fund	61,287	
(t) Provide secondary source of power, School for the Deaf CEP & RI Account		43,680
(u) Provide fire and safety improvements, School for the Deaf General Fund		46,900
(v) Remodel superintendent's residence for Student Union Building, School for the Deaf CEP & RI Account		30,000



(w) Demolish Watson Hall at State School for the Deaf General Fund		44,000
(x) For site development and construction of a community educational facility for the developmentally disabled: PROVIDED, That the appropriation contained in this subsection is contingent upon acquisition of the former Nike-Ajax site from the Kent School District and department of health, education and welfare DSHS Construction Account (HJR 52)		300,000
(y) Replace boilers, Phase II, Fircrest School DSHS Construction Account (HJR 52)		367,700
(z) Repair utilities, Fircrest school DSHS Construction Account (HJR 52)		165,735
(5) For Veterans' Services Program		
(a) Remodel and equip kitchen, Phase II, Soldiers' Home General Fund	340,849	
(b) Fire, safety, and health, Veterans' Homes Upgrade to fire, safety, and health standards, and construct a 100-bed nursing facility at the Veterans' Home and a 40-bed nursing addition at the Soldiers' Home and Colony. Facilities will meet state licensing standards (5,250,142) General Fund-State	369,927*	
DSHS Construction Account (HJR 52)		1,183,075
General Fund-Federal	1,300,000	2,197,140
CEP & RI Account	200,000	
*To be repaid from CEP & RI Account in the 1975-77 biennium.		
(c) Replace boilers, Veteran's Home (201,250) General Fund-State		130,800
General Fund-Federal		70,450
(6) General		
(a) Upgrade for fire and safety standards (Omnibus) To upgrade fire and safety standards per recommendation of the state fire marshal and safety inspectors and to provide a contingency fund for unanticipated capital needs and cost overruns General Fund	637,642	
(b) Repair and improve utilities-(Omnibus) Renovate water, electric, steam, and sewer lines; replace boilers, provide contingency fund for unanticipated needs and cost overruns (400,576) General Fund	397,884	
CEP & RI Account	2,692	
(c) Repair and improve facilities-(Omnibus) Provide for minor repairs to roofs, roads, parking areas, and buildings and provide contingency fund for unanticipated needs and cost overruns (1,057,210) General Fund	557,210	500,000
(d) Preplanning projects 1973-79 (484,778) General Fund	184,778	
DSHS Construction Account (HJR 52)		300,000
(e) Social and Health Services Facilities (To be allocated for specific projects) (24,797,240) State and Local Improvement Revolving Account	10,047,240	14,750,000
(f) Contingency Expense Fund DSHS Construction Account (HJR 52)		585,000

NEW SECTION, Sec. 6. FOR THE EMPLOYMENT SECURITY DEPARTMENT

Reappropriations	From the Fund Designated
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Improvement of existing central office buildings and necessary related costs: PROVIDED, That this appropriation shall be available only to the extent that federal funds under Section 903 of the Federal Social Security Act are made available for this purpose: PROVIDED FURTHER, That this appropriation is made pursuant to and is limited by provisions of section 903-C(2) of the Federal Social Security Act as amended: PROVIDED FURTHER, That

any unexpended balance of said federal funds shall be promptly returned to the account of the State of Washington in the Unemployment Compensation Trust Fund as may be required by federal law or regulation

Unemployment Compensation Administration Fund 90,000  
NEW SECTION. Sec. 7. FOR THE DEPARTMENT OF ECOLOGY

	Reappropriations	From the Fund Designated
(1) For the construction of ground water observation wells State and Local Improvements Revolving Account—Water Supply Facilities as provided by chapter 128, Laws of 1972 ex. sess.		154,166
(2) Construct sewerage systems and waste disposal facilities in the state parks set forth in subparagraphs (a) through (x) of this subsection including, but not limited to, collector systems, treatment facilities, lift stations, trailer dumps and lagoon (1,883,600) State and Local Improvements Revolving Account—Waste Disposal Facilities as provided by chapter 127, Laws of 1972 ex. sess. State and Local Improvements Revolving Account	1,443,500	
(a) Twin Harbors		185,900
(b) Dash Point		10,000
(c) Lake Wenatchee		21,200
(d) Bogachiel		10,000
(e) Wenberg		10,000
(f) Conconully		28,300
(g) Kopachuck		10,000
(h) Lake Easton		10,000
(i) Bay View		10,000
(j) Pearygin Lake		10,000
(k) Deception Pass		10,000
(l) Yakima		10,000
(m) Larrabee		10,000
(n) Curlew Lake		10,000
(o) Camano Island		10,000
(p) Lake Osoyoos		10,000
(q) Fay Bainbridge		10,000
(r) Brooks Memorial		10,000
(s) South Whidbey		10,000
(t) Illahee		10,000
(u) Mount Spokane		4,700
(v) Horsethief Lake		10,000
(w) Riverside		10,000
(x) Lewis and Clark Trail		10,000
(3) Construct water supply improvements in the state parks set forth in subparagraphs (a) through (s) of this subsection (694,000) State and Local Improvements Revolving Account—Water Supply Facilities as provided by chapter 128, Laws of 1972 ex. sess.		
(a) Sequim Bay		165,000
(b) Beacon Rock		9,200
(c) Twanoh		6,700
(d) Potlatch		7,200
(e) Lake Cushman		16,400
(f) Old Fort Townsend		18,800
(g) Deception Pass		58,100
(h) Moran		10,600
(i) Rockport		38,900
(j) Mount Pilchuck		50,400
(k) Brooks Memorial		28,300
(l) Camp Wooten		7,800
(m) Fields Spring		700
(n) Ginkgo		28,300
(o) Mount Spokane		45,300
(p) Squilchuck		17,500
(q) Sun Lakes (Dry Falls)		19,800

(r) Federation Forest	34,700
(s) Fort Canby	130,300
(4) For construction of improved sewage and waste disposal facilities at existing department of social and health services facilities to meet established discharge requirements	
State and Local Improvements Revolving Account—Waste Disposal Facilities as provided by chapter 127, Laws of 1972 ex. sess.	1,050,000
(5) Connect to Gig Harbor sewage disposal unit—Purdy Treatment Center for Women	
State and Local Improvements Revolving Account—Waste Disposal Facilities as provided by chapter 127, Laws of 1972 ex. sess.	150,000

NEW SECTION. Sec. 8. FOR THE STATE PARKS AND RECREATION COMMISSION

	Reappropiations	From the Fund Designated
(1) Construct, repair, and improve state park facilities as set forth in subparagraphs (a) through (e) of this subsection (878,093)		
General Fund	321,293	
State and Local Improvement Revolving Account—Public Recreation Facilities pursuant to the provisions of section 4(3), chapter 129, Laws of 1972 ex. sess.:		
(a) To provide for costs necessary to complete capital budget projects, and unanticipated restoration and repairs to existing state park facilities		200,000
(b) For Lake Chelan to prevent continued shoreline erosion		202,300
(c) For Steamboat Rock for utilities and shops		27,700
(d) For Leadbetter Point for manager's residence and shop		62,800
(e) For Crow Butte for manager's residence and shop		64,000
(2) Schematics and pre-planning		
Outdoor Recreation Account pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess.		150,000
(3) Purchase and develop park sites, boating facilities, group camp facilities, and historical and archeological sites located at Mercer Slough, Green River Gorge, Ocean Beaches, Birch Bay, Twanoh, Fort Ebey, East Side of North Cascade Highway, Manchester, Clallam Bay, Whatcom and Skagit counties bicycle and hiking trail, Lower Crossing-Sunset Highway, Fort Ward, and Cypress Island pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess. (2,228,840)		
Outdoor Recreation Account	591,840	1,637,000
(4) Modernization and improvements at state parks as set forth in subparagraphs (a) through (rr) of this subsection pursuant to the provisions of section 4(3), chapter 129, Laws of 1972 ex. sess. (5,829,950)		
State and Local Improvements Revolving Account—Public Recreation Facilities	1,060,000	
State and Local Improvements Revolving Account—Public Recreation Facilities		
(a) For Fort Worden State Park: PROVIDED, That a joint study by the state parks and recreation commission and the office of program planning and fiscal management shall be conducted to determine (i) the total capital cost requirements of Fort Worden State Park; and (ii) the cost difference between maintaining historical integrity of the buildings and using modern building techniques: PROVIDED FURTHER, That such a study shall be submitted to the standing ways and means committees by December 1, 1975		443,650
(b) Jarrell Cove		24,000
(c) Rainbow Falls		43,800
(d) Beacon Rock		117,400
(e) Twanoh		50,300

(f) Millersylvania		172,600
(g) Twin Harbor		40,400
(h) Penrose Point		1,400
(i) Lake Cushman		95,000
(j) Park Region I miscellaneous		69,300
(k) Sequim Bay		68,000
(l) Paradise Point		50,800
(m) Deception Pass		309,500
(n) Peace Arch		83,500
(o) Nolte		113,500
(p) Birch Bay		375,800
(q) Fort Casey		224,800
(r) Federation Forest		110,000
(s) Camano Island		195,200
(t) Moran		340,700
(u) Mount Pilchuck		43,900
(v) Moses Lake		19,800
(w) Sacajawea		58,000
(x) Lake Chelan		121,600
(y) Alta Lake		150,700
(z) Lake Wenatchee		186,100
(aa) Squilchuck		29,700
(bb) Region III miscellaneous		376,300
(cc) Fields Spring		189,400
(dd) Crawford		69,300
(ee) Fort Simcoe		122,400
(ff) Dosewallips		38,800
(gg) Seaquest		38,800
(hh) Beacon Rock		38,800
(ii) Penrose Point		38,800
(jj) Camano Island		38,800
(kk) Birch Bay		38,800
(ll) Dash Point		38,800
(mm) Larrabee		13,900
(nn) Moran		27,600
(oo) Lake Wenatchee		40,000
(pp) Central Ferry		40,000
(qq) Curlew Lake		40,000
(rr) Steamboat Rock		40,000
(5) Purchase and develop park sites, boating facilities, group camp facilities, and historical and archeological sites located at Mercer Slough, Green River Gorge, Ocean Beaches, Birch Bay, Twanoh, Fort Ebey, East Side of North Cascade Highway, Manchester, Clallam Bay, Whatcom and Skagit counties bicycle and hiking trail, Lower Crossing-Sunset Highway, Fort Ward, and Cypress Island (3,489,518)		
Outdoor Recreation Account	2,656,518	833,000
(6) Acquisition and development of areas for All-Terrain Vehicle utilization		
Outdoor Recreation Account		172,751
(7) Green River Gorge acquisition		
Outdoor Recreation Account		123,520
(8) Fort Canby development		
Outdoor Recreation Account		640,000
(9) Wallace Lake Acquisition and Development		
Outdoor Recreation Account pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess.		125,000
Outdoor Recreation Account		125,000
<u>NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF FISHERIES</u>		
	Reappropiations	From the Fund Designated
(1) Safety installations to meet WISHA requirements		
General Fund-State		270,350
(2) Improved domestic water supplies-Neham and Willapa hatcheries		
General Fund-State		21,000
(3) Pollution abatement facilities for state hatcheries		

General Fund-State		600,000
(4) Pollution abatement facilities for federal hatcheries		
General Fund-Federal		550,000
(5) Humptulips hatchery		
General Fund-State	75,000	1,883,800
General Fund-Federal	75,000	470,950
(6) Reappropriations for projects previously authorized		
General Fund-State	345,535	
General Fund-Federal	545,300	
(7) Acquisition and development of recreational facilities at the following locations:		
(a) Tideland Access-Point Whitney and Penn Cove (84,350)		
(b) Public Access-Penn Cove, Point Whitney, and Oakland Bay (195,000)		
(c) Outdoor Tour Facilities-Soleduck Hatchery (89,715)		
(d) Boating Access-Clallam County (200,000)		
(e) Boat Launch Facility-Merrill and Ring Park, Clallam County (43,624)		
(f) Fishing Pier-Edmonds (450,000)		
(g) Artificial Reefing-Edmonds (4,500): PROVIDED, That prior to construction the department shall execute agreements transferring operation and/or maintenance responsibilities to the department of natural resources or local public bodies within whose jurisdiction such facilities are constructed: PROVIDED FURTHER, That variances to the policy set forth in this section may be granted by the legislative budget committee or its statutory successor		
Outdoor Recreation Account		497,000
Outdoor Recreation Account appropriation pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess.		570,189
(8) Spawning habitat improvement projects		
General Fund-State		235,000
(9) Land acquisition-Columbia River hatcheries		
General Fund-State		192,000
(10) Exploration, land purchase and design of new production facilities		
General Fund-State		300,000
(11) Land acquisition for release ponds and pollution abatement facilities		
General Fund-State		141,000
(12) Release ponds		
(a) George Adams hatchery		
General Fund-State		87,500
General Fund-Federal		87,500
(b) Green River hatchery		
General Fund-State		50,000
(c) Icy Creek		
General Fund-State		137,500
General Fund-Federal		137,500
(d) Samish hatchery		
General Fund-State		90,000
(e) Soleduck hatchery		
General Fund-State		650,000
(f) Skykomish hatchery		
General Fund-State		35,000
(13) Clam Pond-Point Whitney		
General Fund-State		30,000
(14) Green River hatchery-water system improvement		
General Fund-State		120,000
(15) Facilities improvement project		
General Fund-State		289,750
(16) Lewis River hatchery-residence		
General Fund-State		30,000
(17) Toutle hatchery water supply improvement, release ponds, and freezer replacement		
General Fund-Federal		1,075,000
(18) Klickitat hatchery-rebuild rearing ponds		

General Fund-Federal		75,000
(19) Elokomin hatchery release pond		
General Fund-Federal		275,000
<u>NEW SECTION. Sec. 10. FOR THE DEPARTMENT OF GAME</u>		
	Reappro-	From the
	priations	Fund Designated
(1) Purchase, construct, improve and equip fish and game protective facilities, administrative facilities, buildings, hatcheries, game farm facilities, rearing ponds, and game range facilities (3,727,096)		
Game Fund-State		1,160,848
Game Fund-Federal (Reimbursable)		2,179,648
Game Fund-Local (Reimbursable)		386,600
(2) Purchase and develop lands for outdoor recreation (3,405,500)		
Outdoor Recreation Account	758,000	472,500
Outdoor Recreation Account appropriation pursuant to the provisions of section 4(1), chapter 129, Laws of 1972 ex. sess.	1,550,000	625,000
<u>NEW SECTION. Sec. 11. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
	Reappro-	From the
	priations	Fund Designated
(1) Construct honor camp bridges and culverts, construct and equip honor camp facilities, administrative facilities, lookout towers, fire protective facilities, nursery facilities, and area offices as set forth in subparagraphs (a) through (c) of this subsection (1,949,892)		
General Fund		
(a) Pump shop remodeling		3,000
(b) Hose drying facilities		20,000
(c) Morton water supply		5,000
(d) Lookout replacement		5,000
(e) Youth and honor camp gas stations		18,000
(f) Fire protection campgrounds		20,000
(g) Ridgetop water storage		10,000
(h) Honor and youth camp bridge and culvert materials		54,000
(i) Larch Mountain incinerator		10,000
Resource Management Cost Account		
(j) Southeast area office-Ellensburg		117,580
(k) Seed, mulch and fertilizer storage-forest land management center		105,000
(l) Forks seedling storage		16,000
(m) Northwest area building renovation		71,000
(n) Automatic hoist-Clearwater camp		10,000
(o) Unleaded gasoline pump facilities		72,000
(p) Forest land management center office addition		105,000
(q) Bellingham head house		15,000
(r) Bellingham packing shed		10,000
(s) Webster nursery office expansion		2,500
(t) Bellingham lath house		7,500
(u) Seed orchard well and irrigation system		85,000
(v) Seed orchard administration and work building		106,250
(w) Webster nursery greenhouse water system		2,500
(x) Webster greenhouse addition		134,500
(y) Webster nursery access road surfacing		8,450
(z) South Puget Sound area headquarters		260,000
CEP & RI Account		
(aa) Larch Mountain buildings		638,612
(bb) Larch Mountain water system		10,000
(cc) Larch Mountain gym floor replacement		28,000
(2) Purchase right-of-way, construct reclamation and timber access roads, construct irrigation systems, and other land development facilities and tideland facilities (12,510,770)		
Resource Management Cost Account	2,265,070	
Forest Development Account	264,900	
Resource Management Cost Account		
(a) Irrigation development		4,335,400

(b) Land development		466,350
(c) Right-of-way and roads		115,350
(d) Tidelands facilities		40,000
(e) Right-of-way acquisition		200,000
(f) Timber access road construction		4,285,700
Forest Development Account		
(g) Forest reclamation road construction		38,000
(h) Timber access road construction		500,000
(3) Acquire and develop land for recreation uses including trails, scenic roads, shorelands, forest lands, ecological areas, and other areas managed by the Department (2,774,251)		
Outdoor Recreation Account	1,496,100	372,500
Outdoor Recreation Account appropriation pursuant to section 4(1), chapter 129, Laws of 1972 ex. sess.	433,340	472,311
(4) Acquisition and construction of trails and sites for All-Terrain Vehicle utilization		
Outdoor Recreation Account		584,265
<u>NEW SECTION. Sec. 12. FOR THE UNIVERSITY OF WASHINGTON</u>		
	Reappro-	From the
	priations	Fund Designated
(1) Construct and equip Phase II, renovation and provide working drawings for Phase III renovation of Bagley Hall (1,970,000)		
University of Washington Building Account	1,700,000	270,000
(2) Construct and equip space for Academic Computer Center		
State Building and Higher Education Construction Account	1,100,000	
(3) Construct and equip renovations to Gowen Hall		
University of Washington Building Account	1,144,186	
(4) Construct and equip renovations to Health Science complex (3,050,000)		
University of Washington Building Account	550,000	2,500,000
(5) Construct and equip renovations to Johnson Hall		
University of Washington Building Account	1,165,000	
(6) Construct and equip renovations to Moore Hall		
University of Washington Building Account	550,000	
(7) To provide working drawings for renovation to Smith Hall		
University of Washington Building Account	555,814	
(8) Construct and equip renovations and additions to teaching hospital (11,562,793) *		
Building Authority Construction Account	3,562,793	8,000,000
(9) Provide preliminary design of 1977-79 projects		
University of Washington Building Account	70,000	
(10) Construct and equip renovations and extensions to utility systems and buildings (6,534,841)		
University of Washington Building Account	2,034,841	4,500,000
(11) Complete working drawings to finish basement of Kane Hall		
University of Washington Building Account		76,000
(12) Complete working drawings for classroom, office, and library space for social work		
University of Washington Building Account		356,000
(13) Complete working drawings on consolidated facilities for marine studies program		
University of Washington Building Account		400,000
(14) Provide preliminary design of gymnasium and locker room space addition to Edmundson Pavilion		
University of Washington Building Account		36,000
(15) Purchase and install color television equipment for KCTS-Channel 9		
University of Washington Building Account		1,500,000
(16) Provide preliminary design for Biology Instructional Facility		
University of Washington Building Account		318,000
<u>NEW SECTION. Sec. 13. FOR WASHINGTON STATE UNIVERSITY</u>		

	Reappropiations	From the Fund Designated
(1) Construct and equip teaching, research and office space for the biological sciences (9,199,400)		
State Higher Education Construction Account	8,889,000	
Washington State University Building Account		310,400
(2) Construct and equip library stack and reader space (5,536,700)		
Washington State University Building Account	2,594,700	
State Higher Education Construction Account	2,942,000	
(3) Construct and equip office and laboratory space for USDA and NWS		
Office/Laboratory Construction Account	1,800,000	
(4) Construct and equip renovation to Arts Hall, includes relocation of KWSU-TV transmitter and tower		
Washington State University Building Account	38,536	
(5) Provide preliminary design of 1977-79 capital projects		
Washington State University Building Account	61,000	
(6) Construct and equip major renovations to buildings, including implementation of safety standards (2,410,700)		
Washington State University Building Account	1,077,300	1,333,400
(7) Construct and equip modifications to utility production and distribution systems (1,965,700)		
Washington State University Building Account	865,700	1,100,000
(8) Working drawings for animal holding facilities on campus for teaching and research		
Washington State University Building Account		114,000
(9) Construct and equip renovation to Bryan Hall		
Washington State University Building Account	191,000	
(10) Working drawings for central warehouse and storage		
Washington State University Building Account		56,300
(11) Construct and equip classroom laboratories and office for veterinary sciences as well as laboratories for state animal diagnostic center (9,123,500)		
Washington State University Building Account	82,000	
State Higher Education Construction Account		9,041,500
(12) Working drawings for animal facilities at Hastings farm for teaching and research		
Washington State University Building Account		86,000
<u>NEW SECTION. Sec. 14. FOR EASTERN WASHINGTON STATE COLLEGE</u>		
	Reappropiations	From the Fund Designated
(1) Construct and equip alterations and life safety improvements to facilities (300,000)		
Eastern Washington State College Capital Projects Account	40,000	260,000
(2) Construct and equip a special events structure (283,500)		
Eastern Washington State College Capital Projects Account	280,000	
State Higher Education Construction Account	3,500	
(3) Construct and equip renovations to Science and Isle buildings		
Eastern Washington State College Capital Projects Account	620,600	
(4) Construct and equip alterations to Martin Hall to meet health standards		
Eastern Washington State College Capital Projects Account	35,000	
(5) Construct Phase I of biological research laboratory and working drawings, Phase II		
Eastern Washington State College Capital Projects Account	7,000	
(6) Construct and equip utility loop system and implement safety improvements (908,000)		
Eastern Washington State College Capital Projects Account	50,000	858,000
(7) Complete working drawings for centralized maintenance shops		



Eastern Washington State College Capital Projects Account		45,000
(8) Complete landscaping and walkways, physical education complex		
Building Authority Construction Account	10,000	
(9) Complete preliminary design of plant services warehouse		
Eastern Washington State College Capital Projects Account		10,000
(10) Construct and equip fieldhouse portion of physical education complex		
State Higher Education Construction Account		2,456,600
(11) Complete working drawings on aquatics portion of physical education complex		
Eastern Washington State College Capital Projects Account		60,000

NEW SECTION. Sec. 15. FOR CENTRAL WASHINGTON STATE COLLEGE

	Reappro- priations	From the Fund Designated
(1) Purchase land for new boiler plant site		
Central Washington State College Capital Projects Account	20,000	
(2) Construct and equip classrooms, offices and laboratories for Psychology (35,000)		
Central Washington State College Capital Projects Account	5,000	
State Building Authority Construction Account	30,000	
(3) Construct and equip reader, service, stack, classrooms and offices		
State Building and Higher Education Construction Account	250,000	
(4) Construct and equip boiler house and emergency generator		
Central Washington State College Capital Projects Account	25,000	
(5) Purchase and install utility distribution monitoring system		
Central Washington State College Capital Projects Account	20,000	
(6) Construct and equip alterations to facilities including safety standard implementation (461,500)		
Central Washington State College Capital Projects Account	1,500	460,000
(7) Complete pedestrian walks and landscape library/instruction complex construction site (69,000)		
Central Washington State College Capital Projects Account	5,000	64,000
(8) Construct and equip renovations to utility systems (819,500)		
Central Washington State College Capital Projects Account	334,500	485,000
(9) Complete preliminary design on 1977-79 projects including Barge Hall renovation (61,000)		
Central Washington State College Capital Projects Account	11,000	50,000
(10) Purchase and install boilers in new boiler house		
State Higher Education Construction Account	1,840,900	
(11) Purchase and install moveable equipment for new library		
Central Washington State College Capital Projects Account		100,000
(12) Complete working drawings for physical education office, classroom, and recreation building		
Central Washington State College Capital Projects Account		142,000
(13) Complete working drawings for replacement greenhouse		

Central Washington State College Capital Projects Account		20,000
(14) Complete working drawings for remodeling of Bouillion Library		
Central Washington State College Capital Projects Account		54,000
(15) Complete working drawings for remodeling to house theatre and drama facilities		
Central Washington State College Capital Projects Account		127,000

NEW SECTION. Sec. 16. FOR THE EVERGREEN STATE COLLEGE

	Reappropiations	From the Fund Designated
(1) Construct and equip laboratory and office building		
State Higher Education Construction Account	4,500,000	
(2) Construct and equip Seminar Building, Phase I (163,000)		
State Building and Higher Education Construction Account	81,000	
General Fund	82,000	
(3) Site improvements and utilities expansion		
The Evergreen State College Capital Projects Account	65,000	
(4) Clear, grade, and complete college parkway		
The Evergreen State College Capital Projects Account	80,000	
(5) Construct and equip Communications Arts Laboratory (5,800,000)		
The Evergreen State College Capital Projects Account	800,000	
State Higher Education Construction Account	5,000,000	
(6) Clear, grade, pave, and complete road intersection and minor landscaping		
The Evergreen State College Capital Projects Account	40,000	
(7) Construct and equip science laboratories, Phase I		
State Building Authority Construction Account	35,000	
(8) Complete essential storm drainage, electrical and water supply system improvements		
State Higher Education Construction Account		125,000

NEW SECTION. Sec. 17. FOR WESTERN WASHINGTON STATE COLLEGE

	Reappropiations	From the Fund Designated
(1) Purchase land for academic service and recreation		
Western Washington State College Capital Projects Account	171,485	
(2) Preliminary design of 1977-79 requested projects (36,891)		
Western Washington State College Capital Projects Account	25,430	
State Higher Education Construction Account	11,461	
(3) Moveable equipment for academic buildings		
Western Washington State College Capital Projects Account	22,150	
(4) Construct and equip utility system expansion and repairs (2,129,040)		
General Fund-State	103,295	
Western Washington State College Capital Projects Account	645,745	1,380,000
(5) Construct and equip renovations to facilities (357,664)		
General Fund-State	43,060	
Western Washington State College Capital Projects Account	208,604	106,000
(6) Construct and equip Arts Building addition		
Western Washington State College Capital Projects Account	22,579	
(7) Construct and equip social science classrooms, offices and laboratories		
Western Washington State College Capital Projects Account	1,226	
(8) Construct and equip marine laboratory (57,104)		
State Building Authority Construction Account	34,437	

State Higher Education Construction Account	22,667	
(9) Construct and equip addition to heating plant		
State Building Authority Construction Account	5,812	
(10) Construct and equip science program classrooms, offices and laboratories		
State Building Authority Construction Account	117,416	
(11) Construct and equip new and remodeled space for technology and home economics		
State Higher Education Construction Account	1,799,093	
(12) Construct and equip Phase II renovations to Old Main (3,455,583)		
State Higher Education Construction Account	2,705,583	750,000
(13) Construct and equip alterations to buildings to implement safety standards		
Western Washington State College Capital Projects Account		250,000
(14) Complete construction and equip Phase I renovation of Old Main		
Western Washington State College Capital Projects Account	109,250	
(15) Provide working drawings for campus warehouse and maintenance shops		
Western Washington State College Capital Projects Account		122,000
(16) Provide working drawings for completion of interior of auditorium/music addition		
Western Washington State College Capital Projects Account		92,000
(17) Provide working drawings for essential recreation fields and landscaping		
Western Washington State College Capital Projects Account		107,000

NEW SECTION. Sec. 18. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

	Reappropriations	From the Fund Designated
(1) For the payment of relocatable facilities and equipping technology programs on the south campus of the Seattle Community College: PROVIDED, That the Director of the Office of Program Planning and Fiscal Management may allocate from this appropriation no more than shall be realized from the pending sale of the real property and improvements thereto known as the Holgate branch of the Seattle Community College		
General Fund-State	159,242	
(2) Construction, repairs, remodeling, land acquisition, equipment, and other capital improvements for Seattle Community College: PROVIDED, That the source of funds for this appropriation be from the sale of the following described real property and any fixtures thereon: All of Block numbered 11 of Hill Tract Addition to the City of Seattle, King County, Washington; bounded on the East by 19th Avenue, on the South by Main Street, on the West by 18th Avenue, and on the North by the imaginary center line of Washington Street, extended Easterly to its intersection with 19th Avenue		
General Fund-State	857,600	
(3) For construction, repairs, remodeling, equipment, and other capital improvements at Peninsula community college		
General Fund-State	10,313	
(4) Construction, design, remodeling, conversion, land acquisition, renovation, alteration, and working drawings of vocational, academic, and other community college facilities (34,858,524)		
Community College Capital Projects Account	13,020,624	
Community College Capital Improvements Account	21,837,900	
(5) Emergency capital repairs (864,000)		

Community College Capital Projects Account	364,000	
Community College Capital Construction Account		500,000
(6) Construct and equip alterations and renovations that will abate hazardous conditions		
Community College Capital Construction Account		877,000
(7) Purchase, install, equip, and administer a pool of relocatable facilities (349,000)		
Community College Capital Projects Account	24,000	
Community college Capital Construction Account		325,000
(8) Construct and equip alterations that will correct deficiency conditions in existing facilities		
Community College Capital Construction Account		696,000
(9) Construct and equip vocational instruction, office, and learning resource facilities and remodel facilities at Spokane Community college (11,889,000)		
Community College Capital Improvements Account		1,622,565
Community College Capital Construction Account		10,266,435
(10) Construct and equip vocational instruction and office facilities and remodel for learning resource facilities at Green River Community College		
Community College Capital Improvements Account		1,240,000
(11) Construct and equip vocational instruction, learning resource, and remodel facilities at Lower Columbia Community College		
Community College Capital Improvements Account		2,653,000
(12) Construct and equip vocational and science instruction, office and remodel facilities at Everett Community College		
Community College Capital Improvements Account		2,193,000
(13) Construct and equip vocational instruction, learning resources, and dining facilities and remodel facilities at Peninsula Community College		
Community College Capital Improvements Account		692,000
(14) Construct and equip addition to learning resource center, classroom/office building and complete science laboratories at Shoreline Community College		
Community College Capital Improvements Account		1,706,000
(15) Construct and equip student center and remodel existing space for offices at Columbia Basin Community College		
Community College Capital Improvements Account		1,655,000
(16) Construct and equip a student center, offices, and an addition to the library at Spokane Falls Community College		
Community College Capital Improvements Account		3,656,000
(17) Construct and equip vocational instruction space at South Seattle Community College		
Community College Capital Improvements Account		673,000
(18) Construct and equip dining and student activity facilities at Fort Steilacoom Community College		
Community College Capital Improvements Account		1,142,000
(19) Construct and equip addition to dining and student activity areas and remodel existing space at Yakima Valley College		
Community College Capital Improvements Account		579,000
(20) Construct and equip physical education, science laboratory, and dining facilities at Edmonds Community College		
Community College Capital Improvements Account		2,645,000
Community College Capital Construction Account		160,000
(21) Construct and equip learning resource center and remodel existing space at Olympic Community College		
Community College Capital Improvements Account		1,489,000
(22) Construct and equip student activity facility at Walla Walla Community College		
Community College Capital Improvements Account		528,000

(23) Working drawings for new learning resource center, central storage and remodeling of existing facilities at Highline Community College Community College Capital Construction Account	277,000
(24) Working drawings for addition to learning resource center and structural improvements at Clark Community College Community College Capital Construction Account	44,000
(25) Working drawings for utility distribution tunnels at Highline Community College Community College Capital Construction Account	61,000
(26) Working drawings for fine arts and office space in Old Broadway High School auditorium at Central Seattle Community College Community College Capital Construction Account	116,000
(27) Working drawings for repairs to Ehret Hall at Centralia Community College Community College Capital Construction Account	24,000
(28) Working drawings for instruction space for music at Shoreline Community College Community College Capital Construction Account	40,000
(29) Working drawings for learning resource center, vocational, fine arts, and skills lab instructions space as well as storage and student activity space at South Seattle Community College Community College Capital Construction Account	213,000
(30) Working drawings for maintenance shops and water mains at Green River Community College Community College Capital Construction Account	80,000
(31) Working drawings for alterations to Art and Music Building for handicapped students at Olympic Community College Community College Capital Construction Account	14,000
(32) Working drawings for greenhouse and science laboratory at Everett Community College Community College Capital Construction Account	5,000
(33) Working drawings for renovations to vocational facilities at Clark Community College Community College Capital Construction Account	31,000
(34) Working drawings for flight planning program facilities at Big Bend Community College Community College Capital Construction Account	4,000
(35) Working drawings for converting dormitory space to offices at Olympic Community College Community College Capital Construction Account	5,000
(36) Working drawings for welding laboratories and storage space at Everett Community College Community College Capital Construction Account	14,000
(37) Working drawings for geology laboratory at Highline Community College Community College Capital Construction Account	6,000
(38) Construct and equip health, physical education, and recreation facility at Walla Walla community college. The proceeds from the sale of the old physical education facility shall provide an additional source of funds for the project contained in this subsection Community College Capital Construction Account	800,000
(39) Working drawings for science laboratories and fine arts instruction space and remodel existing space at Edmonds Community College Community College Capital Construction Account	89,000
(40) Working drawings for an expansion of physical education locker space at Fort Steilacoom Community College Community College Capital Construction Account	14,000
(41) Working drawings for fine arts, lecture and office space at Fort Steilacoom Community College Community College Capital Construction Account	49,000
(42) Preplanning for the 1977-79 capital budget request	

Community College Capital Construction Account 65,000  
**NEW SECTION. Sec. 19. FOR THE BOARD OF EDUCATION-SUPERINTENDENT OF PUBLIC INSTRUCTION**

	Reappropiations	From the Fund Designated
Public school building planning, construction, remodeling and demolitions: PROVIDED, That an amount not to exceed \$205,000 shall be utilized to fund the school buildings systems study as directed by RCW 28A.04.310: PROVIDED FURTHER, That funds appropriated in this section shall not be expended for either planning or construction of occupational skill centers (172,835,085)		
Common School Building Construction Account	3,900,000	
Common School Construction Fund	49,612,893	119,322,192

**NEW SECTION. Sec. 20. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY.**

	Reappropiations	From the Fund Designated
(1) Pave parking lot on land donated to the Society		
General Fund	6,800	
(2) Replace roof on main museum building		
General Fund-State Building Construction Account		12,000

**NEW SECTION. Sec. 21. FOR THE STATE PATROL**

	Reappropiations	From the Motor Vehicle Fund
(1) Relocation of existing weigh stations (228,900)		
Motor Vehicle Fund	214,900	14,000
(2) Construct radio relay station-Green/Gold mountain (50,750)		
Motor Vehicle Fund	34,750	16,000
(3) Land Acquisition for radio relay station-Columbia river		
Motor Vehicle Fund	50,000	
(4) Site development and construction radio relay stations-North Cross Highway		
Motor Vehicle Fund	150,000	
(5) Construct warehouse-Bellevue		
Motor Vehicle Fund	325,000	
(6) Construct detachment office-Ellensburg		
Motor Vehicle Fund	10,660	
(7) Purchase and renovation of building for detachment office-Moses Lake		75,000
(8) Land acquisition and construction-radio relay station-Pomeroy		40,000
(9) Land acquisition for radio relay station-Clarkston		10,000
(10) Land acquisition for radio relay station-Colville		10,000
(11) Construct addition-Patrol Academy		50,000
(12) Improvements-Detachment office-Kelso		10,000
(13) Improvements-Detachment office-Chehalis		10,000
(14) Repair of existing facilities		100,000
(15) Replace auxiliary power plants		18,500

**NEW SECTION. Sec. 22.** The departments of social and health services and general administration shall give primary consideration in both the design and construction of new facilities to: (1) The use of solar energy and other natural and appurtenant heat sources; and (2) the architectural means of exploiting such heat sources. The intent of the requirement imposed by this section is to reduce the state's reliance on the continued use of fossil fuels as a primary energy source and thereby reduce the long term operating costs of new state facilities. The departments shall submit a joint report to both the governor and legislature on the results of the implementation of this section. Such report shall be presented to the next regular session of the legislature for its consideration.

**NEW SECTION. Sec. 23.** During the 1975-77 biennium the state parks and recreation commission shall make no contractual agreements or receive any donation of real property or an interest therein which commits the commission to either assuming on a current basis or to requesting funds at a future time for development or acquisition costs without prior approval of the legislative budget committee.

**NEW SECTION. Sec. 24.** The words "capital improvements" or "capital projects" used herein shall mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

**NEW SECTION.** Sec. 25. Before a capital project shall begin or an obligation is incurred or a contract entered into, the director of the office of program planning and fiscal management, with the approval of the governor and in compliance with section 2 of this act, shall first allot funds therefor or so much as may be necessary from the appropriation made herein.

**NEW SECTION.** Sec. 26. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering and construction and other related activities to any appropriate agency.

**NEW SECTION.** Sec. 27. Reappropriations shall be limited to the unexpended balances remaining June 30, 1975, in the current appropriation for each project.

**NEW SECTION.** Sec. 28. The governor, through the director of the office of program planning and fiscal management, may authorize a transfer of funds appropriated for a capital project in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient only within the department of social and health services, or between appropriations for a specific department, commission or institution of higher education. No such transfer shall be used to expand the capacity of any facility beyond that anticipated by the legislature in making the appropriation. A report of any transfer effected under this section shall be filed with the legislative auditor for transmittal to the legislative budget committee by the director of the office of program planning and fiscal management within thirty days of the date the transfer is effected.

**NEW SECTION.** Sec. 29. Any capital improvement or capital project for construction, repair or maintenance authorized by this act, unless constructed, pursuant to the provisions of chapter 39.04 RCW, shall be done by contract after public notice and competitive bid: **PROVIDED**, That this section shall not apply to the acquisition of sites, easements, or rights of way; nor to contracts for architectural or engineering services; nor to emergency repairs; nor to any improvement or project costing less than twenty-five hundred dollars; nor to portions of projects involving inmate labor at a state institution: **PROVIDED FURTHER**, That it is the intent of the legislature that in any decision to contract for capital projects funded as the result of this act, full and fair consideration shall be given to minority contractors.

**NEW SECTION.** Sec. 30. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 31. This 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."

Signed by Senators Donohue, Newschwander, Odegaard; Representatives Shinpoch, Bagnariol, Polk.

#### MOTION

Mr. Shinpoch moved that the report of the Free Conference Committee be adopted.

Representatives Shinpoch and Polk spoke in favor of the report, and it was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 206 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 206 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 63; nays, 17; not voting, 18.

Voting yea: Representatives Amen, Bagnariol, Bauer, Bausch, Becker, Bender, Boldt, Bond, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Deccio, Dunlap, Ehlers, Eikenberry, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Greengo, Hanna, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Kilbury, King, Laughlin, Lee, Luders, Martinis, Matthews, May, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Peterson, Polk, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Chandler, Cochrane, Douthwaite, Eng, Gilleland, Haley, Hawkins, Hurley G. S., Leckenby, Lysen, Paris, Parker, Williams, Wojahn, Zimmerman.

Not voting: Representatives Adams, Berentson, Gallagher, Hurley M., Jueling, Kalich, Knowles, Kuehne, Maxie, McCormick, McKibbin, Nelson, Patterson, Perry, Randall, Seeburger, Thompson, Wilson.

Engrossed Substitute House Bill No. 206 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGES FROM THE SENATE

June 9, 1975

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 774,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SECOND SUBSTITUTE HOUSE BILL NO. 1146, and said bill, together with the Conference report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SECOND SUBSTITUTE HOUSE BILL NO. 1146, authorizing bonds for financing of higher education facilities, have had the same under consideration, and we recommend that the bill do pass with the Senate amendments.

Signed by Senators Donohue, Newschwander, Odegaard; Representatives Shinpoch, Bagnariol, Polk.

## MOTION

Mr. Shinpoch moved that the House adopt the report of the Conference Committee.

Representatives Shinpoch and Polk spoke in favor of the report, and it was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1146 as recommended by the Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1146 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 80; nays, 3; not voting, 15.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Laughlin, Lee, Luders, Lysen, Martinis, Matthews, May, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Haley, Leckenby, Wojahn.

Not voting: Representatives Adams, Gallagher, Hurley M., Jueling, Kalich, Knowles, Kuehnle, Maxie, McCormick, Nelson, Perry, Randall, Seeberger, Thompson, Wilson.

Second Substitute House Bill No. 1146 as recommended by the Conference Committee, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2210, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.



## REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2210, authorizing fees for optional noncredit extra-curricular events of school districts and providing for their disposition, have had the same under consideration, and we recommend that the bill be amended as follows:

On page 1, line 1 after "AN ACT" strike the balance of the bill and insert "Relating to education; amending section 1, chapter 52, Laws of 1973 and RCW 28A.58.115; adding a new section to chapter 223, Laws of 1969 ex. sess. and chapter 28A.58 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and chapter 28A.65 RCW; prescribing an effective date; and declaring an emergency.

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

**NEW SECTION.** Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The board of directors of any common school district may establish and collect a fee from students and nonstudents as a condition to their attendance at any optional noncredit extracurricular event of the district which is of a cultural, social, recreational or athletic nature: **PROVIDED,** That in so establishing such fee or fees, the district shall adopt regulations for waiving and reducing such fees in the cases of those students whose families, by reason of their low income, would have difficulty in paying the entire amount of such fees. An optional comprehensive fee may be established and collected for any combination or all of such events or, in the alternative, a fee may be established and collected as a condition to attendance at any single event. Fees collected pursuant to this section shall be deposited in the associated student body program fund of the school district, and may be expended to defray the costs of optional noncredit extracurricular events of such a cultural, social, recreational or athletic nature, or to otherwise support the activities and programs of associated student bodies.

**NEW SECTION.** Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.65 RCW a new section to read as follows:

There is hereby created a fund on deposit with each county treasurer for each school district of the county having an associated student body as defined in RCW 28A.58.115. Such fund shall be known as the associated student body program fund. Rules and regulations promulgated by the superintendent of public instruction under section 3 of this 1975 act shall require separate accounting for each associated student body's transactions in the school district's associated student body program fund.

All moneys generated through the programs and activities of any associated student body shall be deposited in the associated student body program fund. Such funds may be invested for the sole benefit of the associated student body program fund in items enumerated in RCW 28A.58.440 and the county treasurer may assess a fee as provided therein. Disbursements from such fund shall be under the control and supervision, and with the approval, of the board of directors of the school district, and shall be by warrant as provided in chapter 28A.66 RCW: **PROVIDED,** That in no case shall such warrants be issued in an amount greater than the funds on deposit with the county treasurer in the associated student body program fund. To facilitate the payment of minor or unexpected obligations, or obligations which require immediate payment, an imprest bank account or accounts may be created and replenished from the associated student body program fund.

The associated student body program fund shall be budgeted by the associated student body, subject to approval by the board of directors of the school district. All disbursements from the associated student body program fund or any imprest bank account established thereunder shall have the prior approval of the appropriate governing body representing the associated student body. Notwithstanding the provisions of RCW 43.09.210, it shall not be mandatory that expenditures from the district's general fund in support of associated student body programs and activities be reimbursed by payments from the associated student body program fund.

The effective date of this section shall be July 1, 1976.

Sec. 3. Section 1, chapter 52, Laws of 1973 and RCW 28A.58.115 are each amended to read as follows:

As used in this section, an "associated student body" means the formal organization of the students of a school formed with the approval of and regulation by the board of directors of the school district in conformity to the rules and regulations promulgated by the superintendent of public instruction.

The superintendent of public instruction, after consultation with appropriate school organizations and students, shall promulgate rules and regulations to designate the powers and responsibilities of the boards of directors of the school districts of the state of Washington in developing efficient administration, management, and control of moneys, records, and reports of the associated student bodies organized in the public schools of the state.

The application of the provisions of this section is suspended until July 1, 1976.

**NEW SECTION.** Sec. 4. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of its provisions to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 5. Section 1 of this 1975 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."

Signed by Senators Gould, Stortini, Van Hollebeke; Representatives Bauer, Gaspard.

#### MOTION

On motion of Mr. Bauer, the report of the Free Conference Committee was adopted.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2210 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2210 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 79; nays, 1; not voting, 18.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Berentson, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Kilbury, King, Laughlin, Leckenby, Lee, Luders, Lysen, Martinis, Maxie, May, McKibbin, Moon, Moreau, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Polk, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Fischer.

Not voting: Representatives Adams, Blair, Flanagan, Gallagher, Hurley M., Juelling, Kalich, Knowles, Kuehnle, Matthews, McCormick, Nelson, Perry, Peterson, Randall, Seeberger, Thompson, Wilson.

Engrossed Senate Bill No. 2210 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Adams, Gallagher, Hurley (Margaret), Kalich, Knowles, Kuehnle, Luders, McCormick, Perry, Randall, Seeberger and Wilson, who were excused.

#### MOTION

On motion of Mr. Curtis, the House advanced to the eighth order of business.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 75-49, by Representative Boldt:

WHEREAS, The University of Washington, Washington State University, Oregon State University, and the federal Energy Research and Development Administration participate in the operation of the Joint Center for Graduate Study, which is located at Richland, Washington, and which has largely the purpose of meeting the unique educational needs on a graduate school level of employees of the Energy Research and Development Administration and of the highly technical industries attracted to the Tri-Cities area; and

WHEREAS, Many citizens of the Tri-Cities area and past and present employees of the Joint Center for Graduate Study have expressed great concern over the continuous turnover of key administrators at the Center, which turnover they believe has hindered the Center's capacity to adequately serve the educational needs of the technical community of the Tri-Cities area and has been caused by intolerable administrative conditions;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Council on Higher Education is requested to make a thorough examination of the manner in which the Joint Center for Graduate Study is administered and, in furtherance thereof, is also requested to conduct hearings in the Tri-Cities area and solicit the opinions of the past and present faculty, administrators and students of the Center and of other interested citizens; and

BE IT FURTHER RESOLVED, That by December 1, 1975 the Council on Higher Education shall report to the House Higher Education Committee its findings in respect to the manner in which the Center has been administered, together with its recommendations, if any, for changing such manner of administration.

Mr. Boldt moved adoption of the resolution.

Representatives Boldt and Cochrane spoke in favor of the resolution and it was adopted.

HOUSE RESOLUTION NO. 75-48, by Representatives Deccio, Tilly, Berentson, Savage, Fortson, May, Hanna, Laughlin, Peterson, Thompson, Bond, Polk, Hendricks, Fischer, Whiteside, Bagnariol, Haley, Hurley M., McCormick, Hayner, Gilleland, Schumaker, Matthews, Kalich, Hansey, Newhouse, Flanagan, North, Moreau, Chandler, Lee, Smith E., Seeberger, Randall, Clemente, Zimmerman, Haussler, Wojahn, Juelling, Amen, Lysen, Gaines, Conner, Barnes, Luders, Curtis, Patterson, Boldt, Hurley G., Kilbury and Greengo:

WHEREAS, Conditions in our state penitentiary have become a growing concern to the public and the Washington State Legislature; and

WHEREAS, The success of the four-year-old reform policies are in doubt in the minds of many; and

WHEREAS, Recent news articles have indicated that Walla Walla state penitentiary has fostered more violence, tension and discord, due to such reform policies; and

WHEREAS, Killings, rapes, beatings, robberies and drug abuse have increased dramatically at the state penitentiary since the adoption of these policies;

BE IT RESOLVED, That the House of Representatives, State of Washington, require the Secretary of the Department of Social and Health Services to delegate authority and responsibility for complete administrative and operational control of Walla Walla state penitentiary to the warden of that institution to take those measures deemed necessary to restore order and safety.

Mr. Deccio moved adoption of the resolution.

Representatives Deccio, Kilbury, Hayner and Parker spoke in favor of the resolution, and Mr. Leckenby spoke against it.

Mr. Deccio closed debate, speaking again in favor of adoption of the resolution.

House Resolution No. 75-48 was adopted.

#### REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2090, making miscellaneous changes in education code, have had the same under consideration, and we recommend that the bill be amended as follows:

That the House committee amendment to page 2, line 25 be not adopted;

On page 2, line 25 of the engrossed bill, strike all of new section 4 and renumber the remaining sections consecutively.

Signed by Senators Newschwander, Marsh; Representatives Bauer, Bender, Hayner.

#### MOTION

On motion of Mr. Bauer, the Free Conference Committee report was adopted.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2090 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2090 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 80; nays, 0; not voting, 18.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Matthews, Maxie, May, McKibbin, Moon, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Peterson, Polk, Savage, Schumaker, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Adams, Becker, Gallagher, Hurley M., Kalich, Knowles, Kuehnle, Luders, Martinis, McCormick, Moreau, Nelson, Paris, Perry, Randall, Seeberger, Sherman, Wilson.

Engrossed Senate Bill No. 2090 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

We wish to change our votes from "Yea" to "Nay" on final passage of Engrossed Senate Bill No. 2090.

JEANNETTE HAYNER, 16th District.  
JOHN L. HENDRICKS, 22nd District.

## MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 378, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 378, prescribing procedures for the collection, analysis, and reporting of statistical information on file by the state fire marshal, have had the same under consideration, and we recommend that the bill be amended as follows:

In line 1 of the title, after "marshal;" and before "amending" strike "and"

In line 2 of the title after "48.48.090" and before the period insert "; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.48 RCW"

On page 2, line 9 insert the following:

"NEW SECTION. Sec. 2. There is added to chapter 79, Laws of 1947 and to chapter 48.48 RCW a new section to read as follows:

The insurance commissioner may designate trained employees of the department to be vested with the same powers as police officers generally to enforce and administer the provisions of this chapter and rules and regulations adopted thereunder. The commissioner shall also have authority to contract with other state and local governmental agencies for services and personnel reasonably necessary to carry out the enforcement provisions of this chapter.

In addition to his other powers and duties, the commissioner shall have the power to propose and to adopt, pursuant to chapter 34.04 RCW, rules and regulations necessary to carry out the provisions, purposes, and intent of this chapter: PROVIDED, That the powers and duties exercised pursuant to this section shall be limited to the investigation and prevention of arson and related crimes.

Sec. 3. Section 48.48.045, chapter 70, Laws of 1970 ex. sess. and RCW 48.48.045 are each amended to read as follows:

Standards for construction relative to fire prevention and safety for all schools under the jurisdiction of the superintendent of public instruction and state board of education shall be established by the state fire marshal, who shall adopt such nationally recognized fire and building codes and standards as may be applicable to local conditions. After the approval of such standards by the superintendent of public instruction and the state board of education, and review by the advisory board for school building systems

established in RCW 28A.04.310, the fire marshal shall make or cause to be made plan reviews and construction inspections as may be necessary to insure compliance with said codes and standards.

Political subdivisions of the state having and enforcing such fire and building codes and standards at least equal to or higher than those by the state fire marshal as provided for in this section shall be exempted from the plan review and construction inspection provisions of this section within their respective subdivision for as long as such codes and standards are enforced: PROVIDED, That where a local official having enforcement jurisdiction over fire or building codes contends that the local code standards are equal to or higher than the state code and refuses to approve plans for new school construction or for remodeling of existing schools, previously approved by the state fire marshal, the superintendent of public instruction may request a determination by the advisory board for school building systems as to whether or not the local code in fact imposes higher standards. The advisory board is hereby directed to settle disputes and grant code waivers within ten days of such request if in its judgment the plans meet the appropriate fire and building code requirements."

Signed by Senators Rasmussen, Clarke, Marsh; Representatives Moon, Haussler.

#### POINT OF ORDER

Mr. Curtis: "Rule 9 of our Joint Rules dealing with Free Conference Committees provides that the House and Senate shall have 36 hours from time of receipt in the house originating the conference request to consider reports from a Free Conference Committee. I would like a ruling as to whether or not this Free Conference Committee report on Substitute House Bill No. 378 is in violation of that 36-hour time period?"

The Speaker (Mr. O'Brien presiding): "I will defer ruling on this until I have take it under advisement."

#### MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE JOINT RESOLUTION NO. 127,  
SENATE CONCURRENT RESOLUTION NO. 101,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SUBSTITUTE SENATE JOINT RESOLUTION NO. 127,  
SENATE CONCURRENT RESOLUTION NO. 101.

#### RESOLUTION

HOUSE RESOLUTION NO. 75-29, by Representatives Seeberger and Whiteside:

WHEREAS, The Yakima Valley area is richly endowed with a great potential for parkland and scenic open space land; and

WHEREAS, The Yakima County area is the second-largest county in the State of Washington and has the sixth-largest city in terms of population in the State of Washington; and

WHEREAS, The Yakima County area has the fifth-largest concentration of population in the State of Washington; and

WHEREAS, The outdoor recreation needs for the Yakima area, as determined by the Inter-Agency Committee for Outdoor Recreation, indicates a need for the acquisition of regional recreation areas and freshwater shoreland; and

WHEREAS, The Inter-Agency Committee for Outdoor Recreation findings indicate that the developmental needs for the Yakima area are the greatest for freshwater shorelands and that a 1,121 acre deficiency in freshwater shorelands for the use by the citizens of the State of Washington in Yakima County will exist by 1980; and

WHEREAS, The Yakima County area presently contains a total of only 231 acres of freshwater shorelands available for public use; and

WHEREAS, The major freshwater shoreland recreational area within Yakima County closest to the greatest concentration of people is located along the Yakima River; and

WHEREAS, The Yakima River is an excellent example of a relatively unspoiled, free-flowing river in an arid setting near an urban center;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests that the State Parks and Recreation Commission cooperate with the city and county of

Yakima and other interested parties in both public and private in undertaking a study, or in having a study undertaken, to determine the feasibility and if appropriate the planning and financing of park and recreation facilities along the Yakima River to include the area from the Selah Gap to Union Gap; and

BE IT FURTHER RESOLVED, That the State Parks and Recreation Commission shall present the results and recommendations of such study of a possible Yakima River Greenway to the first session of the legislature convening after January 1, 1976, for its consideration; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the chief clerk of the house to the chairman, State Parks and Recreation Commission, to the county commissioners of Yakima County and to the Mayor of Yakima.

Mr. Whiteside moved adoption of the resolution.

Mr. Bond moved adoption of the following amendment:

On page 1, line 1 after "great" insert "Legislator's wife named Shirley Whiteside and"

#### POINT OF ORDER

Mr. Douthwaite: "I think in the House rules it asks that members refrain from personalities of other legislators and I expect that includes their families. I think this amendment is out of order."

The Speaker (Mr. O'Brien presiding): "The amendment might be inconsistent and frivolous, but it's up to the House to determine that."

The amendment was not adopted.

House Resolution No. 75-29 was adopted.

HOUSE RESOLUTION NO. 75-39, by Representatives Valle, Douthwaite, Sherman, King, Moreau, Conner, Bender, Chandler, Eng, Charnley, Maxie, Blair, Hawkins, Lee, Williams, Chatalas, Brown and Becker:

WHEREAS, The students at the institutions of higher education are an invaluable asset for research into the quality of life of the citizens of the state of Washington; and

WHEREAS, There exists a need for the assistance of individuals and groups in the formulation by elected officials of policy decision; and

WHEREAS, The students at the institutions of higher education should be encouraged to learn the tools of citizenship and to work with the established institutions of government; and

WHEREAS, The Washington Public Interest Research Group (Wash. PIRG) is a non-profit, nonpartisan organization directed by students to implement research into the issue of public concern affecting the citizens of the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the students at our institutions of higher education are encouraged in their efforts to become involved in formulation of public policy through the creation of Wash. PIRG; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the president of each community college, college and university in this state.

Mrs. Valle moved adoption of the resolution and spoke in favor of it.

House Resolution No. 75-39 was adopted.

#### MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 40, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 6, 1975

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 40, providing for health maintenance organizations, have had the same under consideration, and we recommend that the Senate amendment be adopted with the following amendment:

On page 16, following line 35 of the Senate amendment, add a new section as follows:

"NEW SECTION. Sec. 19. (1) The state government, or any political subdivision thereof, which offers its employees a health benefits plan shall make available to and inform its employees or members of the option to enroll in at least one health maintenance organization holding a valid certificate of authority which provides health care services in the geographic areas in which such employees or members reside.

(2) Each employer, public or private, having more than fifty employees in this state which offers its employees a health benefits plan, and each employee benefits fund in this state having more than fifty members which offers its members any form of health benefits shall make available to and inform its employees or members of the option to enroll in at least one health maintenance organization holding a valid certificate of authority which provides health care services in the geographic areas in which a substantial number of such employees or members reside: PROVIDED, That unless at least 25 employees agree to participate in a health maintenance organization the employer need not provide such an option: PROVIDED FURTHER, That where such employees are members of a bona fide bargaining unit covered by a labor-management collective bargaining agreement, the selection of the options required by this section may be specified in such agreement: AND PROVIDED FURTHER, That the provisions of this section shall not be mandatory where such members are covered by a Taft-Hartley health care trust, except that the labor-management trustees may contract with a health maintenance organization if a feasibility study determines it is to the advantage of the members to so contract.

(3) Subsections (1) and (2) of this section shall impose no responsibilities or duties upon state government or any political subdivision thereof or any other employer, either public or private, to provide health maintenance organization coverage when no health maintenance organization exists for the purpose of providing health care services in the geographic areas in which the employees or members reside.

(4) No employer in this state shall in any way be required to pay more for health benefits as a result of the application of this section than would otherwise be required by any prevailing collective bargaining agreement or other legally enforceable contract of obligation for the provision of health benefits between such employer and its employees."

Renumber the remaining sections consecutively.

Signed by Senators Day, McDermott, Buffington; Representatives Adams, Eng.

## MOTION

On motion of Mr. Eng, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 40 as amended by the Free Conference Committee.

Mr. Eng spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Pardini.

Mr. Pardini: "You talked about one thing that you dealt with, the free choice in section 19; would you mind telling us what conclusions you arrived at?"

Mr. Eng: "The new choice provisions dealt with management and employees, whereby they can have a chance to consider HMO's as one of the alternatives for health care in relation to a contract for employment, and one of the changes to be made in relation to this was in the 25 employee requirement which we've moved up to 50 employees before an HMO could be considered in relation to a new choice."

Mr. Pardini: "Is it still mandatory?"

Mr. Eng: "It has never been mandatory in that sense."

Mr. Haley spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 40 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 58; nays, 20; not voting, 20.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Fischer, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Hanna, Hansen, Haussler, Hawkins, Jastad, Kibury, King, Laughlin, Lysen, Martinis, Maxie, McKibbin, Moon, North, O'Brien, Parker, Peterson, Savage, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn.

Voting nay: Representatives Amen, Berentson, Bond, Chandler, Curtis, Flanagan, Haley, Hansey, Hayner, Hendricks, Jueling, Leckenby, Lee, Matthews, Newhouse, Pardini, Patterson, Polk, Schumaker, Zimmerman.

Not voting: Representatives Adams, Brown, Eikenberry, Gallagher, Hurley G. S., Hurley M., Kalich, Knowles, Kuehnle, Luders, May, McCormick, Moreau, Nelson, Paris, Perry, Randall, Seeberger, Wilson, and Mr. Speaker.

Engrossed Substitute House Bill No. 40 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## RESOLUTION

HOUSE RESOLUTION NO. 75-30, by Representatives Valle, Whiteside, Bauer, Fortson and Hendricks:

WHEREAS, The entrance of any child into school is an important step in its development; and

WHEREAS, Wide differences in the maturing process among children has seemingly rendered it impossible to determine an appropriate date upon which all children shall be admitted to kindergarten or the first grade, as the case may be; and

WHEREAS, It is the responsibility of the schools to provide an appropriate education for each child upon such child's admission thereto; and

WHEREAS, Continued controversy has centered on the entrance policies of the various school districts and has been further aggravated by lack of uniformity among such school districts;

NOW, THEREFORE, BE IT RESOLVED, By this House of Representatives, That the State Board of Education is hereby requested to cause a study to be made of an appropriate state-wide date or time for entrance of children into kindergarten and the first grade, as the case may be, in schools of the State of Washington, and that such findings and recommendations therefrom be reported to the 1977 regular session of the Legislature.

AND BE IT FURTHER RESOLVED, That the Chief Clerk of the House shall cause to be sent to the State Board of Education a copy of this House Resolution upon the passage thereof.

On motion of Mrs. Fortson, the resolution was adopted.

## SENATE AMENDMENTS TO HOUSE BILL

June 7, 1975

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 671 with the following amendments:

On page 5, beginning on line 9 add sections to read as follows:

"Sec. 2. Section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 2, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.080 are each amended to read as follows:

(1) On or before December 15 of each year commencing with 1972 and ending with 1980, the assessor of each timber county shall deliver to the treasurer of such county and to the department of revenue a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The value of timber as shown on the timber roll for such year;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection in the following year;

(c) A "timber factor" which is the product of such aggregate dollar rate, the assessment ratio applied generally by such assessor in computing the assessed value of other property in his county and the appropriate portion listed below of the timber roll for such year (a) above):



YEAR	PORTION OF TIMBER ROLL
1972	25%
1973	55%
1974 through 1977	100%
1978	75%
1979	50%
1980	25%

On or before December 31 of each year commencing with 1972 and ending with 1980, the department of revenue shall determine the proportion that each taxing district's timber factor bears to the sum of the timber factors for all taxing districts in the state, and shall deliver a list to the assessor and the treasurer of each timber county and to the state treasurer showing the factor and proportion for each taxing district.

(2) On the twentieth day of the second month of each calendar quarter, commencing February 20, 1974 and ending November 20, 1981, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (1) of this section) of the amount in state timber tax fund A collected upon timber harvested in the preceding calendar quarter, but in no event shall any such quarterly payment to a taxing district, when added to such payments made to such district the previous quarters of the same year, exceed, respectively one-fourth, one-half, three-fourths, or the full amount of the timber factor for such district determined in December of the preceding year.

The balance in state timber tax fund A, if any, after the distribution to taxing districts on November 20, 1974 and on the twentieth day of the second month of each calendar quarter commencing February 20, 1975 and ending November 20, 1981 shall be transferred to the state timber reserve fund.

(3) If the balance in state timber tax fund A immediately prior to such twentieth day of the second month of each calendar quarter is not sufficient to permit a payment of one-fourth, one-half, three-fourths, or the full amount, as the case may be, which, when added to the payments made to any taxing district the previous quarters of the same year, will equal the timber factor for such district determined in December of the preceding year, the necessary additional amount shall be transferred from the state timber reserve fund to state timber tax fund A.

(4) If, after the transfer, if any, from the state timber tax fund A (pursuant to subsection (2) of this section) in November of 1974 only and in August of any year thereafter commencing with ~~(1974)~~ 1975, the balance in the state timber reserve fund exceeds two million dollars, the amount of the excess shall be applied first, subject to legislative appropriation of funds allocated from the state timber reserve fund, for activities undertaken by the department of revenue forest valuation section and for the activities undertaken by the department of natural resources relating to classification of lands as required by this chapter: PROVIDED, That within the 1973-75 biennium, the state treasurer shall transfer from the state timber reserve fund to the state general fund an amount equal to actual expenditures of the department of revenue related to the activities of the forest valuation section no later than August 31, 1974 and August 31, 1975, for the fiscal year just completed. If the amount of such excess is more than is necessary for reimbursement for such purposes, the remaining amount of the excess shall be distributed to the taxing districts which distribution shall be made in the following manner:

(a) The department of revenue shall calculate a harvest factor and a harvest factor proportion for each taxing district, in the manner provided in subsections (a) through (d) of subsection (5) of this section except that for years before 1978 there shall be used the aggregate value of timber harvested for as many quarters for which information is available: PROVIDED, That for any excess reserve fund disbursements made for 1975 such calculations shall be made by the department in the manner prescribed in this subsection as soon as practicable after the effective date of this amendatory act using the appropriate tax rates determined in October of 1974. The department shall notify the treasurer of each timber county of the results of such calculations for that county by September 30 of each year.

(b) By multiplying the amount of such excess by the harvest factor proportion for each taxing district respectively, the department of revenue shall calculate the amount to be distributed to each local taxing district and to the state and shall certify such amounts to the respective county assessors and state;

(c) Along with each quarterly payment pursuant to subsection (2) of this section, the state treasurer shall pay, out of the state timber reserve fund, to the treasurer of each timber county for the account of each local taxing district one-fourth of such district's portion (determined pursuant to (b) above) of such excess and the state treasurer shall pay into the state's general fund for the support of the common schools out of the state timber reserve fund such additional one-fourth amount due the state: PROVIDED, That the portion of any excess reserve fund disbursements made to each taxing district which is attributable to the tax rate or rates established for retirement of general obligation bonds issued for capital purposes shall be allocated by such taxing district to and applied by such taxing district to the annual installment required for the retirement of such general obligation bonds, but no part of such disbursements for retirement of general obligation bonds shall be treated as local revenues for purposes of apportionment by the superintendent of public instruction under RCW 28A.41.130.

The balance, if any, in the state timber reserve fund after the final transfer, if any, to or from state timber tax fund A in November of 1981, shall be transferred to state timber tax fund B on December 31, 1981, and one-fourth of such balance shall be distributed in each quarter of 1982 in the manner set forth in subsection (6) of this section.

(5) On or before December 31 of each year commencing with 1978, the department of revenue shall deliver to the treasurer of each timber county a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The average of the aggregate value of all timber harvested within such district in each of the immediately preceding five years as determined from the excise tax returns filed with the department of revenue;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and chapter 84.52 RCW and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection the following year;

(c) A "harvest factor" which is the product of such five year average and such aggregate dollar rate;

(d) The proportion that each taxing district's harvest factor bears to the sum of the harvest factors for all taxing districts in the state.

(6) On the twentieth day of the second month of each calendar quarter commencing February 20, 1979, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (5) of this section) of the amount in state timber tax fund B collected upon timber harvested in the preceding calendar quarter.

**NEW SECTION.** Sec. 3. This 1975 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."

On line 1 of the title after "taxation;" and before "amending" delete "and"

On line 3 of the title after "RCW 82.04.291" and before the period insert "; amending section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 2, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.080; and declaring an emergency"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Sommers, the House refused to concur in the Senate amendments to Engrossed House Bill No. 671 and asked the Senate to recede therefrom.

The Speaker assumed the Chair.

#### RESOLUTION

**HOUSE RESOLUTION NO. 75-50**, by Representatives O'Brien, Erickson, Pardini, Kilbury, Cochrane, Gilleland, Polk and Zimmerman:

WHEREAS, The state of Washington's 43rd Legislature appropriated \$100,000 through the Washington State Arts Commission to the Seattle Opera Association, Inc., to be used for the purpose of securing federal funds to aid in development of a viable operatic program in this state; and

WHEREAS, The Seattle Opera Association together with over forty regional, national and international cooperating agencies matched these funds; and

WHEREAS, The Seattle Opera Association's pacific northwest festival concept was created in the spirit of the American Revolution Bicentennial celebration and is recognized nationally as an official American Revolution Bicentennial project; and

WHEREAS, This festival as envisioned by the Seattle Opera Association has been independently shown to be economically and aesthetically feasible and beneficial to the state of Washington; and

WHEREAS, The inaugural pacific northwest festival to be presented by the Seattle Opera Association in July, 1975 has attracted ticket holders from every state in the union and abroad;

**NOW, THEREFORE, BE IT RESOLVED**, By the House of Representatives, that we sincerely reaffirm our faith and support to the Seattle Opera Association to continue their efforts to obtain federal funding to create a park for the performing arts in which to hold an internationally prestigious annual summer festival in Washington state — a festival showcasing all art forms; and

**BE IT FURTHER RESOLVED**, That the chief clerk of the House of Representatives shall transmit to Mr. Sheffield Phelps, president of the Seattle Opera Association, and to Mr. Glynn Ross, general director of the association, suitable inscribed copies of this resolution.

Mr. O'Brien moved adoption of the resolution.

Representatives O'Brien and Charnley spoke in favor of the resolution, and it was adopted.

## MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 2346, and has granted said committee the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 9, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 2346, changing requirements relating to sale of real property by school districts, have had the same under consideration, and we recommend that the bill be amended as follows:

On page 1, after "thereof)." on line 27 strike the balance of the bill and insert:

"Any sale of school district real property authorized pursuant to this section shall be preceded by a market value appraisal by three licensed real estate brokers selected by the board of directors and no sale shall take place if the sale price would be less than ninety percent of such appraised market value: PROVIDED, That if the property has been on the market for three years or more the property may be sold for not less than seventy-five percent of the appraised value with the unanimous consent of the board.

If the appraised value of any ((such)) parcel of real property considered for sale is found by the board of directors to be greater than thirty-five thousand dollars, the question of the sale thereof shall be submitted to a vote of the voters of the district, either at a general or special election called for that purpose. If a majority of the votes cast thereat favor the sale of such real property the board may make the sale. The sale ((must)) may be made at public auction ((for cash and good title shall be conveyed by deed of the school district, executed by the president or the vice president and the secretary of the board)) or by other means consistent with realizing the highest sale price.

If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and greater value realized through use of the services of licensed real estate brokers, a contract for such services may be negotiated and concluded: PROVIDED, That the fee or commissions charged for any broker services shall not exceed seven percent of the resulting sale value for a single parcel: PROVIDED FURTHER, That any licensed real estate broker selected by the board to appraise the market value of a parcel of property to be sold may not be a party to any contract with the school district to sell such parcel of property for a period of three years after the appraisal.

If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and greater value realized through sale on contract terms, a real estate sales contract may be executed between the district and buyer: PROVIDED, That the terms and conditions of any such sales contract must comply with rules and regulations of the state board of education, herein authorized, governing school district real property contract sales.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The proceeds from any sale of school district real property by a board of directors shall be used solely for the purposes of school district bond retirement, real property improvements, and the equipping or furnishing of school district buildings or grounds.

NEW SECTION. Sec. 3. Section 4, chapter 142, Laws of 1972 ex. sess. and RCW 28A.58.046 are each repealed."

Signed by Senators Stortini, Matson, Woody; Representatives Bauer, Hurley (George), Brown.

## MOTION

On motion of Mr. Bauer, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Senate Bill No. 2346 as amended by the Free Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2346 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 79; nays, 1; not voting, 18.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Fortson, Freeman,

Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Matthews, Maxie, McKibbin, Moon, Newhouse, North, O'Brien, Pardini, Paris, Parker, Patterson, Peterson, Savage, Schumaker, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Warnke.

Not voting: Representatives Adams, Bausch, Bond, Gallagher, Hurley M., Kalich, Knowles, Kuehnle, Luders, May, McCormick, Moreau, Nelson, Perry, Polk, Randall, Seeberger, Wilson.

Engrossed Senate Bill No. 2346 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has receded from its amendment to REENGROSSED SUBSTITUTE HOUSE BILL NO. 413 on line 3 of the title, and on page 3, new sections 8, 9, 10, 11 and 12, and has passed the bill with the other Senate amendments, and said bill, together with the Senate amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Reengrossed Substitute House Bill No. 413 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 413 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 60; nays, 15; not voting, 23.

Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Blair, Boldt, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Deccio, Douthwaite, Ehlers, Eng, Erickson, Fischer, Fortson, Gaines, Gaspard, Greengo, Haley, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Martinis, Maxie, McKibbin, Moon, North, O'Brien, Pardini, Parker, Peterson, Savage, Sherman, Shipoch, Smith E. P., Smith R., Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bausch, Berentson, Curtis, Dunlap, Eikenberry, Flanagan, Freeman, Hansey, Hayner, Matthews, Newhouse, Schumaker, Tilly, Zimmerman.

Not voting: Representatives Adams, Barnes, Bond, Gallagher, Gilleland, Haussler, Hurley M., Kalich, Knowles, Kuehnle, Luders, May, McCormick, Moreau, Nelson, Paris, Patterson, Perry, Polk, Randall, Seeberger, Whiteside, Wilson.

Reengrossed Substitute House Bill No. 413 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### INTERIM COMMITTEE APPOINTMENTS

The Speaker announced the following interim committee appointees:

American Revolution Bicentennial Committee: Representatives Erickson and Zimmerman.

Washington State Arts Commission: Representative Nelson.

Legislative Budget Committee: Representatives Shipoch, Bagnariol, Chatalas, Thompson, Curtis, Amen, Flanagan and Polk.

Columbia Interstate Compact Commission: Representatives Laughlin and Tilly.

Crime (Organized) Intelligence Advisory Board: Representatives Ehlers, Eikenberry, Hanna and Hayner.

Education Commission of the States: Representative Bauer.

Legislative Board of Ethics Committee: Representatives Perry, McKibbin, Paris and Hendricks.

Facilities and Operations Committee: Representatives O'Brien, Bausch, Jastad, Polk and Whiteside.

Washington State Gambling Commission: Representatives Gaines and Kuehnle.

Council on Higher Education: Representatives Maxie and Patterson.

State Employees' Insurance Board: Representative Gaspard.

Judicial Council: Representatives Knowles, Wojahn and Eikenberry.

Municipal Research Council: Representatives Douthwaite, Haussler, Nelson and Greengo.

Nuclear Energy Council: Representatives Savage, Kilbury, Wilson and Hayner.

Oceanographic Commission of Washington: Representatives Fortson, Smith (Rick) and Hansey.

State Public Pension Commission: Representatives Valle, Sommers, North, Kuehnle and Freeman.

Statute Law Committee: Representatives Knowles, Seeberger and Eikenberry.

Legislative Transportation Committee: Representatives Perry, Charnley, Conner, Ceccarelli, Gallagher, Kalich, McCormick, Sherman, Gilleland, Patterson, Leckenby and Dunlap.

Advisory Council on International Trade Fairs: Representative Sawyer (Alternate, Representative Ceccarelli); and Representative Newhouse (Alternate, Representative Matthews).

Joint Committee on Washington/British Columbia Cooperation: Representatives Moon, Charette and Becker.

Special Committee on School Funding: Representatives Bagnariol, Bauer, Luders, Warnke, Freeman, Nelson, Peterson and Zimmerman.

#### MOTION

On motion of Mr. Smith (Rick), the Rules Committee was relieved of Engrossed Senate Bill No. 2046, and the bill was placed on the third reading calendar.

#### THIRD READING

ENGROSSED SENATE BILL NO. 2046 as amended by the House, by Senators Walgren, Beck and Talley:

Declaring that fishing derbies are not gambling and removing them from regulation by the gambling commission.

The bill was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2046 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 3; not voting, 19.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Becker, Bender, Blair, Boldt, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Clemente, Cochrane, Conner, Curtis, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Fischer, Flanagan, Fortson, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hanna, Hansen, Hawkins, Hayner, Hendricks, Hurley G. S., Jastad, Juelling, Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Matthews, Maxie, McKibbin, Moon, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Peterson, Polk, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Hansey, Martinis.

Not voting: Representatives Adams, Deccio, Erickson, Gallagher, Haussler, Hurley M., Kalich, Knowles, Kuehnle, Luders, May, McCormick, Moreau, Paris, Patterson, Perry, Randall, Seeberger, Wilson.

Engrossed Senate Bill No. 2046 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Smith (Rick), Engrossed Senate Bill No. 2046 as amended by the House was ordered transmitted immediately to the Senate.

#### RESOLUTION

HOUSE RESOLUTION NO. 75-53, by Representative Charette:

(1) WHEREAS, The First Extraordinary Session of the Forty-fourth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the House after its adjournment and during the interim period prior to the next session;

**NOW, THEREFORE, BE IT RESOLVED,** That the Chief Clerk of the House of Representatives is directed to complete the work of the First Extraordinary Session of the Forty-fourth Legislature, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House for the Regular and the First Extraordinary Sessions; and

**BE IT FURTHER RESOLVED,** That the Sergeant-at-Arms is hereby directed to complete the necessary work of the First Extraordinary Session of the Forty-fourth Legislature, to see that the House Chamber, adjoining rooms, members' offices, furniture, and equipment are clean and in good order, and to make the necessary inventory of furnishings, fixtures, and supplies; and

**BE IT FURTHER RESOLVED,** That the Speaker and the Chief Clerk be and they are hereby authorized and directed to retain such additional employees with the approval of the Speaker, as may be necessary to continue the interim work of the Legislature and to fix their compensation therefor; and

**BE IT FURTHER RESOLVED,** That the Speaker and the Chief Clerk be authorized and directed to make out the necessary vouchers upon which warrants shall be drawn for the final payment of all expenses in connection with the closing business and for any other business of the House of Representatives; and

**BE IT FURTHER RESOLVED,** That the State Treasurer be, and is hereby directed to draw his warrants for the payment of salaries, per diems, in lieu payments, and reimbursements of and to the members of the House of Representatives, the elected officers of the House of Representatives, and the retained employees each month upon vouchers signed by the members, officers, or employees and approved by the Speaker of the House of Representatives and by the Chief Clerk of the House of Representatives, and he is authorized to deliver the warrants to the Chief Clerk of the House of Representatives for delivery or mailing to those entitled thereto; and

(2) **WHEREAS,** New developments in legislative processes and administration are constantly occurring; and

**WHEREAS,** The substantive matters requiring legislative action are becoming increasingly complex; and

**WHEREAS,** The Council of State Governments, the National Conference of State Legislative Leaders, and other organizations are offering in the next biennium a variety of training and continuing education courses and meetings on such subjects; and

**WHEREAS,** The participation in such activities by members of the House and legislative staff will benefit the House in furthering the efficiency and economy of its operation;

**NOW, THEREFORE, BE IT RESOLVED,** That the Speaker may authorize the attendance of members and staff members at such courses or meetings as he may deem pertinent and may authorize the expenditure of registration or tuition fees and reimbursement for subsistence and travel for such purpose; and

**BE IT FURTHER RESOLVED,** That members of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the per diem rate provided by RCW 44.04.120, plus mileage to and from the conferences, meetings, and courses at the rate of thirteen cents per mile, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

**BE IT FURTHER RESOLVED,** That employees of the legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 43.03.050, plus mileage to and from the conferences, meetings, and courses at the rate of thirteen cents per mile, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers out of funds appropriated for legislative expenses; and

**BE IT FURTHER RESOLVED,** That the Speaker is authorized to approve vouchers of the members of the House, covering expenses incurred during the interim for official business of the legislature or in preparation for the sessions of the Legislature and organizational duties in connection therewith, at the per diem rate provided by RCW 44.04.120, for each day or major portion thereof, plus mileage at the rate of thirteen cents per mile; and

**BE IT FURTHER RESOLVED,** That the Chief Clerk is hereby authorized and directed, during the interim, and as authorized by the Speaker, to hire any necessary employees, to order necessary supplies, equipment, and printing to enable the House to carry out its work

promptly and efficiently, and to accept prefiled bills, memorials, and resolutions as directed by the Rules of the House and by Joint Rules of the Legislature; and

BE IT FURTHER RESOLVED, That the Sergeant-at-Arms be and is hereby authorized and directed, during the interim to prepare the House chambers, committee rooms, and members' offices for use, and to perform other necessary work in connection with the interim; and

BE IT FURTHER RESOLVED, That during legislative interims, the Chief Clerk of the House shall receive compensation as approved by the Speaker, together with necessary travel expenses in connection therewith at the rate prescribed by RCW 43.03.050, plus mileage at the rate of thirteen cents per mile, for the purpose of attending to all duties of the office and of the House of Representatives; and to be in attendance for the purpose of providing advice, counsel, and information when the Chamber is used for such purposes as the YMCA Youth Legislature and the Governor's Industrial Safety Conference; and

BE IT FURTHER RESOLVED, That during legislative interims, the Sergeant-at-Arms of the House shall receive compensation as approved by the Speaker, together with necessary travel expenses in connection therewith at the per diem rate prescribed by RCW 43.03.050, plus mileage at the rate of thirteen cents per mile, to oversee all House facilities and equipment and any repairs thereto, and be in attendance when the House Chamber is being used for such purposes as the YMCA Youth Legislature and the Governor's Industrial Safety Conference; and

BE IT FURTHER RESOLVED, That after the adjournment of the First Extraordinary Session of the Forty-fourth Legislature the use of the House Chamber, any of its committee rooms, members' offices, or any of the furniture or furnishings therein, shall not be granted to anyone without the permission of the Speaker and the Chief Clerk of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to express the sympathy of the House by sending flowers in the event of a bereavement in a Representative's or Senator's family; and

BE IT FURTHER RESOLVED, That the Chief Clerk be authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

Mr. Charette moved adoption of the resolution.

#### POINT OF PERSONAL PRIVILEGE

Mr. Pardini: "This is a hysterical story that I would like to convey to the body: Many years ago, two Italian fur traders, Leonardo Cerrini and Augusto Martinelli, crossed Washington state on foot and by dry canoe. They swapped beads and they swapped food for pelts. It was a long, tiring journey from Fort Colville to the Rain Forest of the Olympic Peninsula. One late evening, 148 days after starting their expedition, Leonardo and Augusto arrived at a small Indian fishing village. Tired and discouraged, Leonardo said, 'Augusto, let's call it Queets.' And so they did. Mr. Chairman, speaking in favor of the closing resolution, I suggest we do the same thing."

The resolution was adopted.

#### MESSAGE FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE SENATE BILL NO. 2423, notwithstanding the Governor's veto, by a vote of Yeas, 34; nays, 14.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Bond moved that the House do pass Substitute Senate Bill No. 2423 notwithstanding the Governor's veto.

Representatives Bond, Tilly and Chandler spoke in favor of the motion, and Mr. Douthwaite spoke against it.

## POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Martinis.

Mr. Martinis: "For a clarification of what we are voting on here: If we vote yes, then that would be more restrictive of the sale of beer and wine on campus, and if we vote no, then it would be less restrictive?"

Mr. Douthwaite: "Yes, that is correct. A yes vote means to override the Governor's veto, which means that it would be unlawful to sell or serve beer or any alcoholic beverages on campus. A no vote means to sustain the Governor's veto, which is to sustain the status quo. A no vote is basically for a more liberal campus and a yes vote is for a more moral campus."

Mr. Bond closed debate, speaking again in favor of the motion to override the Governor's veto.

## ROLL CALL

The Clerk called the roll on the motion to pass Substitute Senate Bill No. 2423 notwithstanding the veto of the Governor, and the motion was lost by the following vote: Yeas, 43; nays, 28; not voting, 27.

Voting yea: Representatives Amen, Barnes, Bauer, Berentson, Boldt, Bond, Ceccarelli, Chandler, Charette, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gilleland, Greengo, Hansen, Hansey, Hayner, Jueling, Kilbury, Leckenby, Lee, Matthews, Maxie, North, Pardini, Parker, Patterson, Polk, Schumaker, Smith E. P., Smith R., Thompson, Tilly, Valle, Whiteside, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Becker, Bender, Blair, Brown, Charnley, Cochrane, Douthwaite, Eng, Gaines, Gaspard, Haley, Hanna, Hawkins, Hendricks, Hurley G. S., King, Laughlin, Lysen, Martinis, McKibbin, Moon, Nelson, O'Brien, Peterson, Savage, Warnke, Williams.

Not voting: Representatives Adams, Bagnariol, Chatalas, Clemente, Ehlers, Erickson, Fortson, Gallagher, Haussler, Hurley M., Jastad, Kalich, Knowles, Kuehne, Luders, May, McCormick, Moreau, Newhouse, Paris, Perry, Randall, Seeberger, Sherman, Shinpoch, Sommers, Wilson.

Substitute Senate Bill No. 2423 notwithstanding the Governor's veto, having failed to receive the constitutional two-thirds majority, was declared lost.

## MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 827, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the Free Conference report, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 9, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 827, providing for changes in public disclosure provisions, have had the same under consideration, and we recommend that the bill be amended to read as follows:

"AN ACT Relating to open government; amending section 1, chapter 1, Laws of 1973 and RCW 42.17-.010; amending section 2, chapter 1, Laws of 1973 and RCW 42.17.020; amending section 4, chapter 1, Laws of 1973 and RCW 42.17.040; amending section 6, chapter 1, Laws of 1973 and RCW 42.17.060; amending section 8, chapter 1, Laws of 1973 and RCW 42.17.080; amending section 9, chapter 1, Laws of 1973 and RCW 42.17.090; amending section 12, chapter 1, Laws of 1973 and RCW 42.17.120; amending section 16, chapter 1, Laws of 1973 and RCW 42.17.160; amending section 17, chapter 1, Laws of 1973 and RCW 42.17.170; amending section 18, chapter 1, Laws of 1973 and RCW 42.17.180; amending section 19, chapter 1, Laws of 1973 and RCW 42.17.190; amending section 24, chapter 1, Laws of 1973 and RCW 42.17.240; amending section 26, chapter 1, Laws of 1973 and RCW 42.17.260; amending section 27, chapter 1, Laws of 1973 and RCW 42.17.270; amending section 29, chapter 1, Laws of 1973 and RCW 42.17.290; amending section 31, chapter 1, Laws of 1973 and RCW 42.17.310; amending section 32, chapter 1, Laws of 1973 and RCW 42.17.320; amending section 33, chapter 1, Laws of 1973 and RCW 42.17.330; amending section 34, chapter 1, Laws of 1973 and RCW 42.17.340; amending section 35, chapter 1, Laws of 1973 and RCW 42.17.350; amending section 36, chapter 1, Laws of 1973 and RCW 42.17.360; amending section 37, chapter 1, Laws of 1973 and RCW 42.17.370;



amending section 38, chapter 1, Laws of 1973 and RCW 42.17.380; amending section 40, chapter 1, Laws of 1973 and RCW 42.17.400; adding new sections to chapter 42.17 RCW; creating new sections; and declaring an emergency.

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

Section 1. Section 1, chapter 1, Laws of 1973 and RCW 42.17.010 are each amended to read as follows:

It is hereby declared by the sovereign people to be the public policy of the state of Washington:

(1) That political campaign and lobbying contributions and expenditures be fully disclosed to the public and that secrecy is to be avoided.

(2) That the people have the right to expect from their elected representatives at all levels of government the utmost of integrity, honesty, and fairness in their dealings.

(3) That the people shall be assured that the private financial dealings of their public officials, and of candidates for those offices, present no conflict of interest between the public trust and private interest.

(4) That our representative form of government is founded on a belief that those entrusted with the offices of government have nothing to fear from full public disclosure of their financial and business holdings, provided those officials deal honestly and fairly with the people.

(5) That public confidence in government at all levels is essential and must be promoted by all possible means.

(6) That public confidence in government at all levels can best be sustained by assuring the people of the impartiality and honesty of the officials in all public transactions and decisions.

(7) That the concept of attempting to increase financial participation of individual contributors in political campaigns is encouraged by the passage of the Revenue Act of 1971 by the Congress of the United States, and in consequence thereof, it is desirable to have implementing legislation at the state level.

(8) That the concepts of disclosure and limitation of election campaign financing are established by the passage of the Federal Election Campaign Act of 1971 by the Congress of the United States, and in consequence thereof it is desirable to have implementing legislation at the state level.

(9) That small contributions by individual contributors are to be encouraged, and that not requiring the reporting of small contributions may tend to encourage such contributions.

(10) That the public's right to know of the financing of political campaigns and lobbying and the financial affairs of elected officials and candidates far outweighs any right that these matters remain secret and private.

(11) That, mindful of the right of individuals to privacy and of the desirability of the efficient administration of government, full access to information concerning the conduct of government on every level must be assured as a fundamental and necessary precondition to the sound governance of a free society.

The provisions of this chapter shall be liberally construed to promote complete disclosure of all information respecting the financing of political campaigns and lobbying, and the financial affairs of elected officials and candidates, and full access to public records so as to assure continuing public confidence of fairness of elections and governmental processes, and so as to assure that the public interest will be fully protected. In promoting such complete disclosure, however, this chapter shall be enforced so as to insure that the information disclosed will not be misused for arbitrary and capricious purposes and to insure that all persons reporting under this chapter will be protected from harassment and unfounded allegations based on information they have freely disclosed.

Sec. 2. Section 2, chapter 1, Laws of 1973 and RCW 42.17.020 are each amended to read as follows:

(1) "Agency" includes all state agencies and all local agencies. "State agency" includes every state office, public official, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, city and county, school district, municipal corporation, district, political subdivision, or any board, commission, or agency thereof, or other local public agency.

(2) "Ballot proposition" means any "measure" as defined by RCW 29.01.110, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of ((any specific)) the state or any municipal corporation, political subdivision or other voting constituency ((which)) from and after the time when such proposition has been initially filed with the appropriate election officer of that constituency prior to its circulation for signatures.

(3) "Campaign depository" means a bank designated by a candidate or political committee pursuant to RCW 42.17.050.

(4) "Campaign treasurer" and "deputy campaign treasurer" mean the individuals appointed by a candidate or political committee, pursuant to RCW 42.17.050, to perform the duties specified in that section.

(5) "Candidate" means any individual who seeks election to public office. An individual shall be deemed to seek election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(b) Announces publicly or files for office.

(6) "Commercial advertiser" means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(7) "Commission" means the agency established under RCW 42.17.350.

(8) "Compensation" unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind: PROVIDED, That for the purpose of compliance with

RCW 42.17.240, as now or hereafter amended, the term "compensation" shall not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while such official is engaged in the official business of such governmental entity.

(9) "Continuing political committee" means a political committee which is an organization of continuing existence not established in anticipation of any particular election.

(10) "Contribution" includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration, but does not include interest on moneys deposited in a political committee's account, ordinary home hospitality and the rendering of "part time" personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of twenty-five dollars personally paid for by (any volunteer campaign) such worker. "Part time" services, for the purposes of this chapter, means services in addition to regular full time employment, or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of such tickets, and only the excess over actual cost of such consumables shall be deemed a contribution.

((9)) (11) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

((10)) (12) "Election" includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters: PROVIDED, That an election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

((11)) (13) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

((12)) (14) "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term "expenditure" also includes a promise to pay, a payment or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. The term "expenditure" shall not include the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported, or payment of service charges against a political committee's campaign account.

((13)) (15) "Final report" means the report described as a final report in RCW 42.17.080(2).

((14)) (16) "Immediate family" includes the spouse ((and children living in the household and other relatives living in the household)), dependent children, and other dependent relatives, if living in the household.

((15)) (17) "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter which may be the subject of action by either house, or any committee of the legislature and all bills and resolutions which having passed both houses, are pending approval by the governor.

((16)) (18) "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state Administrative Procedure Acts, chapter 34.04 RCW and chapter 28B.19 RCW.

((17)) (19) "Lobbyist" includes any person who shall lobby either in his own or another's behalf.

((18)) (20) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist.

((19)) (21) "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

((20)) (22) "Person in interest" means the person who is the subject of a record or any representative designated by said person, except that if such person be under a legal disability, the term "person in interest" shall mean and include the parent or duly appointed legal representative.

((21)) (23) "Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

((22)) (24) "Political committee" means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

~~((23))~~ (25) "Public office" means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

~~((24))~~ (26) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

~~((25))~~ (27) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

As used in this chapter, the singular shall take the plural and any gender, the other, as the context requires.

Sec. 3. Section 4, chapter 1, Laws of 1973 and RCW 42.17.040 are each amended to read as follows:

(1) Every political committee, within ten days after its organization or, within ten days after the date when it first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier, shall file a statement of organization with the commission and with the county auditor of the county in which the candidate resides (or in the case of a political committee supporting or opposing a ballot proposition, the county in which the campaign treasurer resides). Each political committee in existence on the effective date of this act shall file a statement of organization with the commission within ninety days after such effective date.

(2) The statement of organization shall include but not be limited to:

(a) The name and address of the committee;

(b) The names and addresses of all related or affiliated committees or other persons, and the nature of the relationship or affiliation;

(c) The names, addresses, and titles of its officers; or if it has no officers, the names, addresses, and titles of its responsible leaders;

(d) The name and address of its campaign treasurer and campaign depository;

(e) A statement whether the committee is a continuing one;

(f) The name, office sought, and party affiliation of each candidate whom the committee is supporting or opposing, and, if the committee is supporting the entire ticket of any party, the name of the party;

(g) The ballot proposition concerned, if any, and whether the committee is in favor of or opposed to such proposition;

(h) What distribution of surplus funds will be made in the event of dissolution; ~~((and))~~

(i) The hours during which the committee will make available for public inspection its books of account and all reports filed in accordance with section 5 of this 1975 amendatory act and RCW 42.17.080, as now or hereafter amended; and

(j) Such other information as the commission may by regulation prescribe, in keeping with the policies and purposes of this chapter.

(3) Any material change in information previously submitted in a statement of organization shall be reported to the commission and to the appropriate county auditor within the ten days following the change.

Sec. 4. Section 6, chapter 1, Laws of 1973 and RCW 42.17.060 are each amended to read as follows:

(1) All monetary contributions received by a candidate or political committee shall be deposited by the campaign treasurer or deputy treasurer in a campaign depository in an account designated, "Campaign Fund of . . . ." (name of candidate or political committee).

(2) All deposits made by a campaign treasurer or deputy campaign treasurer shall be accompanied by a statement containing the name of each person contributing the funds so deposited and the amount contributed by each person: PROVIDED, That contributions not exceeding ~~((five))~~ ten dollars from any one person may be deposited without identifying the contributor. The statement shall be in triplicate, upon a form prescribed by the commission, one copy to be retained by the campaign depository for its records for the minimum term of three years, one copy to be filed by the campaign treasurer with the commission, and one copy to be retained by the campaign treasurer for his records. In the event of deposits made by a deputy campaign treasurer, the third copy shall be forwarded to the campaign treasurer to be retained by him for his records. Each statement shall be certified as correct by the campaign treasurer or deputy campaign treasurer making the deposit.

~~(3) ((a) Accumulated anonymous contributions in excess of one dollar from any individual contributor; and~~

~~(b)) Political committees which support or oppose more than one candidate or ballot proposition, or exist for more than one purpose, may maintain multiple separate bank accounts within the same designated depository for such purpose: PROVIDED, That each such account shall bear the same name followed by an appropriate designation which accurately identifies its separate purpose: AND PROVIDED FURTHER, That transfers of funds which must be reported under RCW 42.17.090(1)(d), as now or hereafter amended, may not be made from more than one such account.~~

(4) Accumulated ((anonymous)) unidentified contributions, other than those made by persons whose names must be maintained on a separate and private list by a political committee's campaign treasurer pursuant to RCW 42.17.090(1)(b), which total in excess of one percent of the total accumulated contributions received ((to date)) in the current calendar year or three hundred dollars (whichever is ((less)) more),

shall not be deposited, used, or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state, and shall be paid to the state treasurer for deposit in the state general fund.

NEW SECTION. Sec. 5. There is added to chapter 42.17 RCW a new section to read as follows:

(1) In addition to the provisions of this section, a continuing political committee shall file and report on the same conditions and at the same times as any other committee in accordance with the provisions of RCW 42.17.040, 42.17.050, and 42.17.060.

(2) A continuing political committee shall file with the commission and the auditor of the county in which the committee treasurer resides a report on the tenth day of the month detailing its activities for the preceding calendar month in which the committee has received a contribution or made an expenditure: PROVIDED, That interest on moneys deposited or service charges shall not be deemed contributions or expenditures. The report shall be on a form supplied by the commission and shall include the following information:

(a) The information required by RCW 42.17.090;

(b) Each expenditure made to retire previously accumulated debts of the committee; identified by recipient, amount, and date of payments;

(c) Such other information as the commission shall by rule prescribe.

(3) If a continuing political committee shall make a contribution in support of or in opposition to a candidate or ballot proposition within sixty days prior to the date on which such candidate or ballot proposition will be voted upon, such continuing political committee shall report pursuant to RCW 42.17.080, as now or hereafter amended, until twenty-one days after said election.

(4) A continuing political committee shall file reports as required by this chapter until it is dissolved, at which time a final report shall be filed. Upon submitting a final report, the duties of the campaign treasurer shall cease and there shall be no obligation to make any further reports.

(5) The campaign treasurer shall maintain books of account in accordance with generally accepted accounting principles reflecting all contributions and expenditures on a current basis within three business days of receipt or expenditure. During the eight days immediately preceding the date of any election, for which the committee has received any contributions or made any expenditures, the books of account shall be kept current within one business day and shall be open for public inspection for at least two consecutive hours Monday through Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as specified in the committee's statement of organization filed pursuant to RCW 42.17.040 as now or hereafter amended, at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer.

(6) All reports filed pursuant to this section shall be certified as correct by the campaign treasurer.

Sec. 6. Section 8, chapter 1, Laws of 1973 and RCW 42.17.080 are each amended to read as follows:

(1) On the day the campaign treasurer is designated, each candidate or political committee shall file with the commission and the county auditor of the county in which the candidate resides (or in the case of a political committee supporting or opposing a ballot proposition, the county in which the campaign treasurer resides), in addition to any statement of organization required under RCW 42.17.040, a report of all contributions received and expenditures made in the election campaign prior to that date (~~PROVIDED; That if the political committee is an organization of continuing existence not established in anticipation of any particular election the campaign treasurer shall report, at the times required by this chapter, and at such other times as are designated by the commission, all contributions received and expenditures made since the date of his or his predecessor's last report. In addition to any statement of organization required under RCW 42.17.040, the initial report of the campaign treasurer of such a political committee in existence at the time this chapter becomes effective need include only:~~

(a) The funds on hand at the time of the report; and

(b) ~~Such other information as shall be required by the commission by regulation in conformance with the policies and purposes of this chapter).~~

(2) At the following intervals each campaign treasurer shall file with the commission and the county auditor of the county in which the candidate resides (or in the case of a political committee supporting or opposing a ballot proposition the county in which the campaign treasurer resides) a further report of the contributions received and expenditures made since the date of the last report:

(a) On the fifth and nineteenth days immediately preceding the date on which the election is held; and

(b) Within ten days after the date of a primary election, and within twenty-one days after the date of all other elections; and

(c) On the tenth day of each month preceding the election in which no other reports are required to be filed under this section: PROVIDED, That such report shall only be filed if the committee has received a contribution or made an expenditure in the preceding calendar month. Interest on moneys deposited or service charges shall not be deemed contributions or expenditures.

The report filed under paragraph (b) above shall be the final report if there is no outstanding debt or obligation, and the campaign fund is closed, and the campaign is concluded in all respects, and if in the case of a political committee, the committee has ceased to function and has dissolved. If the candidate or political committee has any outstanding debt or obligation, additional reports shall be filed at least once every six months until the obligation or indebtedness is entirely satisfied at which time a final report shall be filed. (~~A continuing political committee shall file reports as required by this chapter until it is dissolved; at which time a final report shall be filed.~~) Upon submitting a final report, the duties of the campaign treasurer shall cease and there shall be no obligation to make any further reports.

(3) The campaign treasurer shall maintain books of account in accordance with generally accepted accounting principles reflecting all contributions and expenditures on a current basis within three business days of receipt or expenditure. During the eight days immediately preceding the date of the election the books of account shall be kept current within one business day and shall be open for public inspection ~~((during normal business hours))~~ for at least two consecutive hours Monday through Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as specified in the committee's statement of organization filed pursuant to RCW 42.17.040 as now or hereafter amended, at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer.

(4) All reports filed pursuant to this section shall be certified as correct by the candidate and the campaign treasurer.

(5) Copies of all reports filed pursuant to this section shall be readily available for public inspection for at least two consecutive hours Monday through Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as specified in the committee's statement of organization filed pursuant to RCW 42.17.040 as now or hereafter amended, at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer.

Sec. 7. Section 9, chapter 1, Laws of 1973 and RCW 42.17.090 are each amended to read as follows:

(1) Each report required under RCW 42.17.080 shall disclose for the period beginning at the end of the period for the last report or, in the case of an initial report, at the time of the first contribution or expenditure, and ending not more than three days prior to the date the report is due:

(a) The funds on hand at the beginning of the period;

(b) The name and address of each person who has made one or more contributions during the period, together with the money value and date of such contributions and the aggregate value of all contributions received from each such person during the preceding twelve-month period: PROVIDED, That contributions not exceeding ~~(five)~~ ten dollars in aggregate from any one person during the election campaign may be reported as one lump sum so long as the campaign treasurer maintains a separate and private list of the names, addresses, and amounts of each such contributor;

(c) Each loan, promissory note, or security instrument to be used by or for the benefit of the candidate or political committee made by any person, together with the names and addresses of the lender and each person liable directly, indirectly or contingently and the date and amount of each such loan, promissory note, or security instrument;

(d) The name and address of each political committee from which the reporting committee or candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts, dates, and purpose of all such transfers;

(e) All other contributions not otherwise listed or exempted;

(f) The name and address of each person to whom an expenditure was made in the aggregate amount of twenty-five dollars or more, and the amount, date, and purpose of each such expenditure;

(g) The total sum of expenditures;

(h) The surplus or deficit of contributions over expenditures;

(i) The disposition made of any surplus of contributions over expenditures;

(j) Such other information as shall be required by the commission by regulation in conformance with the policies and purposes of this chapter; and

(k) Funds received from a political committee not domiciled in Washington state and not otherwise required to report under this chapter (a "nonreporting committee"). Such funds shall be forfeited to the state of Washington unless the nonreporting committee or the recipient of such funds has filed or within three days following such receipt shall file with the commission a statement disclosing: (i) its name and address; (ii) the purposes of the nonreporting committee; (iii) the names, addresses, and titles of its officers or if it has no officers, the names, addresses, and titles of its responsible leaders; (iv) a statement whether the nonreporting committee is a continuing one; (v) the name, office sought, and party affiliation of each candidate in the state of Washington whom the nonreporting committee is supporting, and, if such committee is supporting the entire ticket of any party, the name of the party; (vi) the ballot proposition supported or opposed in the state of Washington, if any, and whether such committee is in favor of or opposed to such proposition; (vii) the name and address of each person residing in the state of Washington or corporation which has a place of business in the state of Washington who has made one or more contributions to the nonreporting committee during the preceding twelve-month period, together with the money value and date of such contributions; (viii) the name and address of each person in the state of Washington to whom an expenditure was made by the nonreporting committee on behalf of a candidate or political committee in the aggregate amount of twenty-five dollars or more, the amount, date, and purpose of such expenditure, and the total sum of such expenditures; (ix) such other information as the commission may by regulation prescribe, in keeping with the policies and purposes of this chapter.

(2) The campaign treasurer and the candidate shall certify the correctness of each report.

Sec. 8. Section 12, chapter 1, Laws of 1973 and RCW 42.17.120 are each amended to read as follows:

No contribution shall be made and no expenditure shall be incurred, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative, or other person in such a manner as to conceal the identity of the source of the contribution or in any other manner so as to effect concealment.

Sec. 9. Section 16, chapter 1, Laws of 1973 and RCW 42.17.160 are each amended to read as follows:

The following persons and activities shall be exempt from registration and reporting under RCW 42.17.150, 42.17.170, 42.17.190, and 42.17.200:

(1) Persons who limit their lobbying activities to appearance before public sessions of committees of the legislature, or public hearings of state agencies.

(2) News or feature reporting activities and editorial comment by working members of the press, radio, or television and the publication or dissemination thereof by a newspaper, book publisher, regularly published periodical, radio station, or television station.

(3) (~~(Lobbying)~~) Persons who lobby without compensation or other consideration for acting as a lobbyist: PROVIDED, Such person makes no expenditure for or on behalf of any member of the legislature or elected official or public officer or employee of the state of Washington in connection with such lobbying. Any person exempt under this subsection (3) may at his option register and report under this chapter.

(4) Persons who restrict their lobbying activities to no more than four days or parts thereof during any three-month period and whose total expenditures during such three-month period for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington in connection with such lobbying do not exceed fifteen dollars: PROVIDED, That the commission shall promulgate regulations to require disclosure by persons exempt under this subsection or their employers or entities which sponsor or coordinate the lobbying activities of such persons if it determines that such regulations are necessary to prevent frustration of the purposes of this chapter. Any person exempt under this subsection (4) may at his option register and report under this chapter.

~~((4))~~ (5) The governor.

~~((5))~~ (6) The lieutenant governor.

~~((6))~~ (7) Except as provided by RCW 42.17.190(1), members of the legislature.

~~((7))~~ (8) Except as provided by RCW 42.17.190(1), persons employed by the legislature for the purpose of aiding in the preparation (~~and~~) enactment of legislation or the performance of legislative duties.

~~((8))~~ (9) Except as provided by RCW 42.17.190 elected state officers, state officers appointed by the governor subject to confirmation by the senate, and employees of any state agency.

Sec. 10. Section 17, chapter 1, Laws of 1973 and RCW 42.17.170 are each amended to read as follows:

(1) Any lobbyist registered under RCW 42.17.150 and any person who lobbies shall file with the commission periodic reports of his activities signed by both the lobbyist and the lobbyist's employers. The reports shall be made in the form and manner prescribed by the commission. They shall be due quarterly and shall be filed within thirty days after the end of the calendar quarter covered by the report. In addition to the quarterly reports, while the legislature is in session, any lobbyist who lobbies with respect to any legislation shall file interim weekly periodic reports for each week that the legislature is in session, which reports need be signed only by the lobbyist and which shall be filed on each Tuesday for the activities of the week ending on the preceding Saturday: PROVIDED, That it shall not be necessary to file any such interim weekly periodic reports for any week during which no expenditure reportable under subsection (2) hereof was made by the reporting person.

(2) Each such quarterly and weekly periodic report shall contain:

(a) The totals of all expenditures made or incurred by such lobbyist or on behalf of such lobbyist by the lobbyist's employer during the period covered by the report, which totals shall be segregated according to financial category, including food and refreshments; living accommodations; advertising; travel; telephone; contributions; office expenses, including rent and the salaries and wages paid for staff and secretarial assistance, or the proportionate amount thereof, paid or incurred for lobbying activities; and other expenses or services: PROVIDED HOWEVER, That unreimbursed personal living and travel expenses of a lobbyist not incurred directly or indirectly for any lobbying purpose need not be reported: AND PROVIDED FURTHER, That the interim weekly reports of legislative lobbyists for the legislative session need show only the expenditures for food and refreshments; living accommodations; travel; contributions; and such other categories as the commission shall prescribe by rule. Each individual expenditure of more than fifteen dollars for entertainment shall be identified by date, place, amount, and the names of all persons in the group partaking in or of such entertainment including any portion thereof attributable to the lobbyist's participation therein but without allocating any portion of such expenditure to individual participants.

(b) In the case of a lobbyist employed by more than one employer, the proportionate amount of such expenditures in each category incurred on behalf of each of his employers.

(c) An itemized listing of each such expenditure in the nature of a contribution of money or of tangible or intangible personal property to any legislator, or for or on behalf of any legislator. All contributions made to, or for the benefit of, any legislator shall be identified by date, amount, and the name of the legislator receiving, or to be benefited by each such contribution.

(d) The subject matter of proposed legislation or rulemaking; the proposed rules, standards, rates, or other legislative enactments under chapter 34.04 RCW and chapter 28B.19 RCW (the state Administrative Procedure Acts) and the state agency considering the same; and the number of each senate or house bill, resolution, or other legislative activity which the lobbyist has been engaged in supporting or opposing during the reporting period: PROVIDED, That in the case of appropriations bills the lobbyist shall enumerate the specific section or sections which he supported or opposed.

Sec. 11. Section 18, chapter 1, Laws of 1973 and RCW 42.17.180 are each amended to read as follows:

Every employer of a lobbyist registered under this chapter during the preceding calendar year shall file with the commission on or before (~~January~~) March 31st of each year a statement disclosing for the preceding (~~twelve months~~) calendar year the following information:

(1) The name of each state elected official(~~s~~) and the name of each candidate(~~s~~) for state office who was elected to such office and any member of (~~his~~) the immediate family of such persons to whom

such employer has paid any compensation in the amount of five hundred dollars or more during the preceding calendar year for personal employment or professional services, including professional services rendered by a corporation, partnership, joint venture, association, union, or other entity in which such person holds any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more, the value of such compensation in accordance with the reporting provisions set out in RCW 42.17.240(2), as now or hereafter amended, and the consideration given or performed in exchange for such compensation.

(2) The name of ((any corporation, partnership, joint venture, association, union or other entity of which any elected official, candidate, or any member of his immediate family is a member, officer, partner, director, associate or employee and to which the employer has paid compensation, the value of such compensation and the consideration given or performed in exchange for such compensation:)) each state elected official, successful candidate for state office or members of his immediate family to whom the lobbyist employer made expenditures, directly or indirectly, either through a lobbyist or otherwise, the amount of such expenditures and the purpose for such expenditures: PROVIDED, That for the purposes of this subsection, the term expenditure shall not include any expenditure made by the employer in the ordinary course of business if such expenditure is not made for the purpose of influencing, honoring, or benefiting such elected official, successful candidate or member of his immediate family, as an elected official or candidate.

(3) The total expenditures made by the employer for lobbying purposes, whether through or on behalf of a registered lobbyist or otherwise.

(4) All contributions made to a candidate for state office, to a political committee supporting or opposing a candidate for state office, or to a political committee supporting or opposing a state-wide ballot proposition. Such contributions shall be identified by the name and the address of the recipient and the aggregate amount contributed to each such recipient.

(5) The name and address of each registered lobbyist employed by such employer.

(6) Such other information as the commission shall by rule prescribe.

Sec. 12. Section 19, chapter 1, Laws of 1973 and RCW 42.17.190 are each amended to read as follows:

(1) Every legislator and every committee of the legislature shall file with the commission quarterly reports listing the names, addresses, and salaries of all persons employed by the person or committee making the filing for the purpose of aiding in the preparation ((and)) or enactment of legislation or the performance of legislative duties of such legislator or committee during the preceding quarter. The reports shall be made in the form and the manner prescribed by the commission and shall be filed between the first and tenth days of each calendar quarter: PROVIDED, That the information required by this subsection may be supplied, insofar as it is available, by the chief clerk of the house of representatives or by the secretary of the senate on a form prepared by the commission.

(2) Unless expressly authorized by law, no state funds shall be used directly or indirectly for lobbying: PROVIDED, This shall not prevent state officers or employees from communicating with a member of the legislature on the request of that member; or communicating to the legislature, through the proper official channels, requests for legislative action or appropriations which are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties: PROVIDED FURTHER, That this subsection shall not apply to the legislative branch.

(3) Each state agency which expends state funds for lobbying pursuant to an express authorization by law or whose officers or employees communicate on legislation directly affecting the agency to members of the legislature on request of any member or communicate to the legislature requests for legislation ((or appropriations)) shall file with the commission quarterly statements providing the following information for the quarter just completed:

(a) The name of the agency filing the statement;

(b) The name, title, and job description and salary of each employee engaged in such legislative activity, a general description of the nature of his legislative activities, and the proportionate amount of his time spent on such activities(;

(c) In the case of any communications to a member of the legislature in response to a request from the member, the name of the member making the request and the nature and subject of the request).

The statements shall be in the form and the manner prescribed by the commission and shall be filed within thirty days after the end of the quarter covered by the report.

(4) The provisions of this section shall not relieve any state officer or any employee of a state agency from complying with other provisions of this chapter, if such officer or employee is not otherwise exempted.

Sec. 13. Section 24, chapter 1, Laws of 1973 and RCW 42.17.240 are each amended to read as follows:

(1) Every elected official (except president, vice president, and precinct committeemen) shall ((~~on or~~)) after January 1st and before January 31st of each year(;;); and every candidate, and every person appointed to fill a vacancy in an elective office (except for the offices of president, vice president, and precinct committeeman) shall, within two weeks of becoming a candidate, or being appointed to such elective office, file with the commission a written statement sworn as to its truth and accuracy stating for himself and all members of his immediate family, for the preceding twelve months: PROVIDED, That no individual shall be required to file more than once in any calendar year:

(a) Occupation, name of employer, and business address; and

(b) Each ((direct financial interest in excess of five thousand dollars in a )) bank or savings account or ((cash surrender value of any)) insurance policy in which any such person or persons owned a direct financial interest which exceeded five thousand dollars at any time during such period; each other item of

intangible personal property in which any such person or persons owned a direct financial interest (if in excess of), the value of which exceeded five hundred dollars during such period; and the name, address, nature of entity, nature and highest value of each such direct financial interest during the reporting period; and

(c) The name and address of each creditor to whom the value of five hundred dollars or more was owed; the original amount of each debt to each such creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each such debt; and the security given, if any, for each such debt: PROVIDED, That debts arising out of a "retail installment transaction" as defined in chapter 63.14 RCW (Retail Installment Sales Act) need not be reported; and

(d) Every public or private office, directorship and position as trustee held; and

(e) All persons for whom (~~actual or proposed~~) any legislation, or any rule(s), rate(s), or standard(s) has been prepared, promoted, or opposed for current or deferred compensation: PROVIDED, That for the purposes of this subsection, "compensation" shall not include payments made to an elected official by the governmental entity for which such person serves as an elected official for his service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid; and

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of five hundred dollars or more; the value of such compensation; and the consideration given or performed in exchange for such compensation; and

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and with respect to each such entity: (i) With respect to a governmental unit in which the elected official holds any elective office, if such entity has received compensation in any form during the preceding twelve months from such governmental unit, the value of such compensation and the consideration given or performed in exchange for such compensation; (ii) The name of each governmental (entity) unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which such entity has received compensation in any form in the amount of two thousand five hundred dollars or more during the preceding twelve months and the consideration given or performed in exchange for such compensation: PROVIDED, That the term "compensation" for purposes of this subsection (1)(g)(ii) shall not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative authority of the public entity providing such service; (iii) The name, address, and occupation of every other director and/or officer of any bank or commercial lending institution, the name of which is required to be reported under this subsection or all interest paid by a borrower on loans from and all interest paid to a depositor by such bank or commercial lending institution if such interest exceeds six hundred dollars; and

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for such interest; and

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for such interest, and the name and address of the person furnishing such consideration; and

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which a direct financial interest was held: PROVIDED, That if a description of such property has been included in a report previously filed, such property may be listed, for purposes of this provision, by reference to such previously filed report;

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds five thousand dollars, in which a corporation, partnership, firm, enterprise, or other entity had a direct financial interest, in which corporation, partnership, firm or enterprise a ten percent or greater ownership interest was held; and

(l) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall by rule prescribe.

(2) Where an amount is required to be reported under subsection (1), paragraphs (a) through (k) of this section, it shall be sufficient to comply with such requirement to report whether the amount is less than one thousand dollars, at least one thousand dollars but less than five thousand dollars, at least five thousand dollars but less than ten thousand dollars, at least ten thousand dollars but less than twenty-five thousand dollars, or twenty-five thousand dollars or more. An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection shall be interpreted to prevent any person from filing more information or more detailed information than required.

(3) Elected officials and candidates reporting under this section shall not be required to file the statements required to be filed with the secretary of state under RCW 42.21.060.

Sec. 14, Section 26, chapter 1, Laws of 1973 and RCW 42.17.260 are each amended to read as follows:



(1) Each agency, in accordance with published rules, shall make available for public inspection and copying all public records. To the extent required to prevent an unreasonable invasion of personal privacy, an agency shall delete identifying details when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing.

(2) Each agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after ~~(June 30, 1972)~~ January 1, 1973:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(3) An agency need not maintain such an index, if to do so would be unduly burdensome, but it shall in that event:

(a) Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

(b) Make available for public inspection and copying all indexes maintained for agency use.

(4) A public record may be relied on, used, or cited as precedent by an agency against a party other than an agency and it may be invoked by the agency for any other purpose only if—

(a) It has been indexed in an index available to the public; or

(b) Parties affected have timely notice (actual or constructive) of the terms thereof.

(5) This chapter shall not be construed as giving authority to any agency to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies shall not do so unless specifically authorized or directed by law: PROVIDED, HOWEVER, That lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor: PROVIDED FURTHER, That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.04 RCW.

Sec. 15. Section 27, chapter 1, Laws of 1973 and RCW 42.17.270 are each amended to read as follows:

Public records shall be available ~~((to any person))~~ for inspection and copying, and agencies shall, upon request for identifiable public records, make them promptly available to any person. Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency. Agencies shall honor requests received by mail for identifiable public records unless exempted by provisions of this chapter.

Sec. 16. Section 29, chapter 1, Laws of 1973 and RCW 42.17.290 are each amended to read as follows:

Agencies shall adopt and enforce reasonable rules and regulations, consonant with the intent of this chapter to provide full public access to ~~((official))~~ public records, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency. Such rules and regulations shall provide for the fullest assistance to inquirers and the most timely possible action on requests for information. Nothing in this section shall relieve agencies from honoring requests received by mail for copies of identifiable public records.

Sec. 17. Section 31, chapter 1, Laws of 1973 and RCW 42.17.310 are each amended to read as follows:

(1) The following shall be exempt from public inspection and copying:

(a) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers, or parolees.

(b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(d) Specific intelligence information and specific investigative ~~((fits))~~ records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, except as the complainant may authorize: PROVIDED, That this subsection shall not apply to persons who file complaints with the public disclosure commission about any elected official or candidate for elective office: PROVIDED, FURTHER, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(2) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records, exempt under the provisions of this section, may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records, is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

Sec. 18. Section 32, chapter 1, Laws of 1973 and RCW 42.17.320 are each amended to read as follows:

Responses to requests for public records shall be made promptly by agencies. Denials of requests must be accompanied by a written statement of the specific reasons therefor. Agencies shall establish mechanisms for the most prompt possible review of decisions denying inspection, and such review shall be deemed completed at the end of the second business day following the denial of inspection and shall constitute final agency action for the purposes of judicial review.

Sec. 19. Section 33, chapter 1, Laws of 1973 and RCW 42.17.330 are each amended to read as follows:

The examination of any specific public record may be enjoined if, upon motion and affidavit, the superior court for the county in which the movant resides or in which the record is maintained, finds that such examination would clearly not be in the public interest and would substantially and irreparably damage any person, or would substantially and irreparably damage vital governmental functions.

Sec. 20. Section 34, chapter 1, Laws of 1973 and RCW 42.17.340 are each amended to read as follows:

(1) Upon the motion of any person having been denied an opportunity to inspect or copy a public record by an agency, the superior court in the county in which a record is maintained may require the responsible agency to show cause why it has refused to allow inspection or copying of a specific public record or class of records. The burden of proof shall be on the agency to establish that refusal to permit public inspection and copying is required.

(2) Judicial review of all agency actions taken or challenged under RCW 42.17.250 through 42.17.320 shall be de novo. Courts shall take into account the policy of this chapter that free and open examination of public records is in the public interest, even though such examination may cause inconvenience or embarrassment to public officials or others. Courts may examine any record in camera in any proceeding brought under this section.

(3) Any person who prevails against an agency in any action in the courts seeking the right to inspect or copy any public record shall be awarded all costs, including reasonable attorney fees, incurred in connection with such legal action. In addition, it shall be within the discretion of the court to award such person an amount not to exceed twenty-five dollars for each day that he was denied the right to inspect or copy said public record.

**NEW SECTION.** Sec. 21. There is added to chapter 42.17 RCW a new section to read as follows:

(1) Each lobbyist shall at the time he registers submit to the commission a recent three inch by five inch black-and-white photograph of himself together with the name of the lobbyist's employer, the length of his employment as a lobbyist before the legislature, a brief biographical description, and any other information he may wish to submit not to exceed fifty words in length; such photograph and information to be published at least annually in a booklet form by the commission for distribution to legislators and the public.

(2) There is established a fund to be known as the "lobbyists' booklet revolving fund" which shall consist of all receipts from sales of the booklets described in subsection (1) of this section. This fund shall be used for expenses of production and sale of such booklets and for no other purpose.

**NEW SECTION.** Sec. 22. There is added to chapter 42.17 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 42.17.260 through 42.17.340, as now or hereafter amended, no state college, university, library, or archive shall be required by chapter 42.17 RCW to make available for public inspection and copying any records or documents obtained by said college, university, library, or archive through or concerning any gift, grant, conveyance, bequest, or devise, the terms of which restrict or

regulate public access to such records or documents: PROVIDED, That this section shall not apply to any public records as defined in RCW 40.14.010.

Sec. 23. Section 35, chapter 1, Laws of 1973 and RCW 42.17.350 are each amended to read as follows:

There is hereby established a "Public Disclosure Commission" which shall be composed of five members who shall be appointed by the governor, with the consent of the senate. All appointees shall be persons of the highest integrity and qualifications. No more than three members shall have an identification with the same political party. The original members shall be appointed within sixty days after the effective date of this act. The term of each member shall be five years except that the original five members shall serve initial terms of one, two, three, four, and five years, respectively, as designated by the governor. No member of the commission, during his tenure, shall (1) hold or campaign for elective office; (2) be an officer of any political party or political committee; (3) permit his name to be used, or make contributions, in support of or in opposition to any candidate or proposition; (4) participate in any way in any election campaign; or (5) lobby or employ or assist a lobbyist. No member shall be eligible for appointment to more than one full term. A vacancy on the commission shall be filled within thirty days of the vacancy by the governor, with the consent of the senate, and the appointee shall serve for the remaining term of his predecessor. A vacancy shall not impair the powers of the remaining members to exercise all of the powers of the commission. Three members of the commission shall constitute a quorum. The commission shall elect its own chairman and adopt its own rules of procedure in the manner provided in chapter 34.04 RCW. Any member of the commission may be removed by the governor, but only upon grounds of neglect of duty or misconduct in office.

((Members)) Each member shall ((serve without compensation, but)) receive per diem in the amount of forty dollars in lieu of expenses for each day or portion thereof spent in performance of his duties as a member of the commission, and in addition shall be reimbursed for ((necessary traveling and lodging)) travel expenses actually incurred while engaged in the business of the commission as provided in chapter 43.03 RCW. The compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state.

Nothing in this section shall prohibit the commission, or any of its members or staff on the authority of the commission, from responding to communications from the legislature or any of its members or from any state agency or from appearing and testifying at an open public meeting (as defined by RCW 42.30.030) or a hearing to adopt rules held pursuant to RCW 34.04.025 on matters directly affecting the exercise of their duties and powers under this chapter.

Sec. 24. Section 36, chapter 1, Laws of 1973 and RCW 42.17.360 are each amended as follows:

The commission shall:

- (1) Develop and provide forms for the reports and statements required to be made under this chapter;
- (2) Prepare and publish ((a manual)) on or before July 1, 1976, manuals and information setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter;
- (3) Prepare and publish on or before July 1st of each year cumulative supplements to previously published manuals and information or revised versions of previously published forms, manuals, and information which shall incorporate all pertinent changes which occurred during the preceding calendar year;
- (4) Prepare and publish bulletins announcing pertinent changes, as they occur, in previously published forms, manuals, information, and supplements;
- (5) Distribute all necessary and appropriate forms, manuals, information, supplements, and bulletins to;

(a) Each candidate (except for the offices of president, vice president, and precinct committee person): PROVIDED, That such distribution shall be made upon receipt by the commission of the statement of political committee organization required by RCW 42.17.040 from each such candidate or upon each such candidate's filing of a declaration of candidacy, whichever occurs first: PROVIDED, FURTHER, That such distribution may be made by the election officer with whom such declaration has been filed;

(b) Each political committee (except those which are only established to support the candidacy of a single individual): PROVIDED, That such distribution shall be made upon receipt by the commission of the statement of organization required by RCW 42.17.040 from such a political committee: PROVIDED, FURTHER, That such distribution may be made by the county auditor with whom such statement of organization has been filed;

(c) Each registered lobbyist: PROVIDED, That such distribution shall be made upon receipt by the commission of the lobbyist registration statement required by RCW 42.17.150 from such a lobbyist;

(d) Each legislator and each committee of the legislature: PROVIDED, That such distribution shall be made on or before January 1st of each year;

(e) Each sponsor of a grass roots lobbying campaign: PROVIDED, That such distribution shall be made upon receipt by the commission of the registration statement required by RCW 42.17.200 from such a sponsor;

(f) Each state agency: PROVIDED, That such distribution shall be made on or before January 1st of each year;

(g) Each public official who must file the report of financial affairs required by RCW 42.17.240: PROVIDED, That such distribution shall be made on or before December 1st of the year preceding the year during which such official is required to file such a report by RCW 42.17.240 and, in the case of a person appointed to fill a vacancy in an office, such distribution shall be made upon such appointment;

(h) Any other person, committee, or entity whose obligation to report under this chapter can be ascertained by the commission: PROVIDED, That such distribution shall be made according to such rules and regulations as the commission may prescribe;

(6) Respond in writing to each request for clarification or interpretation of this chapter within thirty days of receiving such a request: PROVIDED, That the commission, before responding in writing to a telephone request, may require the person making such a request to submit the request to the commission in written form: PROVIDED, FURTHER, That nothing in this subsection shall be construed so as to suspend the reporting obligation of any person making such a request during the time prior to such person's receipt of the commission's written response;

((3)) (7) Compile and maintain a current list of all filed reports and statements;

((4)) (8) Investigate whether properly completed statements and reports have been filed within the times required by this chapter;

((5)) (9) Upon complaint or upon its own motion, investigate and report apparent violations of this chapter to the appropriate law enforcement authorities: PROVIDED, That upon a finding by the commission that probable cause exists to believe that any party has committed an apparent violation of this chapter, said party shall be entitled to a hearing, and proceedings following the finding of probable cause shall be conducted pursuant to the provisions of chapter 34.04 RCW relating to contested cases;

((6)) (10) Prepare and publish an annual report to the governor as to the effectiveness of this chapter and its enforcement by appropriate law enforcement authorities;

(11) Working in conjunction with the senate and house standing committees on Constitution and elections, report to the next session of the legislature convened after January 1, 1976, recommendations with respect to the reporting requirements for elected officials. Such report shall contain a detailed analysis of the effect of present disclosure requirements and a review of federal and state banking laws and their relation to financial disclosure requirements. Such report must demonstrate that the recommendations contained therein will facilitate the purpose and intent of this chapter as set forth in RCW 42.17.010, as now or hereafter amended; and

((7)) (12) Enforce this chapter according to the powers granted it by law.

Sec. 25. Section 37, chapter 1, Laws of 1973 and RCW 42.17.370 are each amended to read as follows: The commission is empowered to:

(1) Adopt, promulgate, amend, and rescind suitable administrative rules and regulations to carry out the policies and purposes of this chapter, which rules and regulations shall be promulgated pursuant to the provisions of chapter 34.04 RCW;

(2) Prepare and publish such reports and technical studies as in its judgment will tend to promote the purposes of this chapter, including reports and statistics concerning campaign financing, lobbying, financial interests of elected officials, and enforcement of this chapter;

(3) Make from time to time, on its own motion, audits and field investigations;

(4) Make public the ~~(fact that an alleged or apparent violation has occurred and the nature thereof)~~ time and date of any formal hearing set to determine whether a violation has occurred, the question or questions to be considered, and the results thereof;

(5) Administer oaths and affirmations, ~~((subpoena witnesses))~~ issue subpoenas, ~~((compel their attendance))~~ and compel attendance, take evidence and require the production of any books, papers, correspondence, memorandums, or other records which the commission deems relevant or material for the purpose of any investigation authorized under this chapter, or any other proceeding under this chapter;

(6) Adopt and promulgate a code of fair campaign practices;

(7) Relieve, by published regulation of general applicability, candidates or political committees of obligations to comply with the provisions of this chapter relating to election campaigns, if they have not received contributions nor made expenditures in connection with any election campaign of more than one thousand dollars; and

(8) Enact regulations prescribing reasonable requirements for keeping accounts of and reporting on a quarterly basis costs incurred by state agencies, counties, cities, and other municipalities and political subdivisions in preparing, publishing, and distributing legislative information. The term "legislative information", for the purposes of this subsection, means books, pamphlets, reports, and other materials prepared, published, or distributed at substantial cost, a substantial purpose of which is to influence the passage or defeat of any legislation. The state auditor in his regular examination of each agency under chapter 43.09 RCW shall review such regulations, accounts, and reports and make appropriate findings, comments, and recommendations in his examination reports concerning those agencies.

(9) The commission, after hearing, by order approved and ratified by a majority of the membership of the commission, may suspend or modify any of the reporting requirements hereunder in a particular case if it finds that literal application of this chapter works a manifestly unreasonable hardship and if it also finds that such suspension or modification will not frustrate the purposes of the chapter. Any such suspension or modification shall be only to the extent necessary to substantially relieve the hardship. The commission shall act to suspend or modify any reporting requirements only if it determines that facts exist that are clear and convincing proof of the findings required hereunder. Any citizen shall have standing to bring an action in Thurston county superior court to contest the propriety of any order entered hereunder within one year from the date of the entry of such order.

Sec. 26. Section 38, chapter 1, Laws of 1973 and RCW 42.17.380 are each amended to read as follows:

(1) The secretary of state, through his office, shall perform such ministerial functions as may be necessary to enable the commission to carry out its responsibilities under this chapter. The office of the secretary

of state shall be designated as the place where the public may file papers or correspond with the commission and receive any form or instruction from the commission.

(2) The attorney general, through his office, shall supply such assistance as the commission may require in order to carry out its responsibilities under this chapter. The commission may employ attorneys who are neither the attorney general nor an assistant attorney general to carry out any function of the attorney general prescribed in this (~~section~~) chapter.

Sec. 27. Section 40, chapter 1, Laws of 1973 and RCW 42.17.400 are each amended to read as follows:

(1) The attorney general and the prosecuting authorities of political subdivisions of this state may bring civil actions in the name of the state for any appropriate civil remedy, including but not limited to the special remedies provided in RCW 42.17.390.

(2) The attorney general and the prosecuting authorities of political subdivisions of this state may investigate or cause to be investigated the activities of any person who there is reason to believe is or has been acting in violation of this chapter, and may require any such person or any other person reasonably believed to have information concerning the activities of such person to appear at a time and place designated in the county in which such person resides or is found, to give such information under oath and to produce all accounts, bills, receipts, books, paper and documents which may be relevant or material to any investigation authorized under this chapter.

(3) When the attorney general or the prosecuting authority of any political subdivision of this state requires the attendance of any person to obtain such information or the production of the accounts, bills, receipts, books, papers, and documents which may be relevant or material to any investigation authorized under this chapter, he shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by registered mail to the person at least fourteen days before the date fixed for attendance. Such order shall have the same force and effect as a subpoena, shall be effective state-wide, and, upon application of the attorney general or said prosecuting authority, obedience to the order may be enforced by any superior court judge in the county where the person receiving it resides or is found, in the same manner as though the order were a subpoena. The court, after hearing, for good cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend, or postpone all or any part of its provisions. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in writing, and such action shall be subject to review by the appellate courts by certiorari or other appropriate proceeding.

(4) Any person who has notified the attorney general and the prosecuting attorney in the county in which the violation occurred in writing that there is reason to believe that some provision of this chapter is being or has been violated may himself bring in the name of the state any of the actions (hereinafter referred to as a citizen's action) authorized under this chapter. This citizen action may be brought only if the attorney general (~~has~~) and the prosecuting attorney have failed to commence an action hereunder within (~~forty~~) forty-five days after such notice and (~~if the attorney general has failed to commence an action within ten days after a notice in writing delivered to the attorney general advising him that a citizen's action will be brought if the attorney general does not bring an action:~~) such person has thereafter further notified the attorney general and prosecuting attorney that said person will commence a citizen's action within ten days upon their failure so to do, and the attorney general and the prosecuting attorney have in fact failed to bring such action within ten days of receipt of said second notice. If the person who brings the citizen's action prevails, (~~he shall be entitled to one half of any judgment awarded, and to the extent the costs and attorney's fees he has incurred exceed his share of the judgment.~~) the judgment awarded shall escheat to the state, but he shall be entitled to be reimbursed (~~for such costs and fees~~) by the state of Washington for costs and attorney's fees he has incurred: PROVIDED, That in the case of a citizen's action which is dismissed and which the court also finds was brought without reasonable cause, the court may order the person commencing the action to pay all costs of trial and reasonable attorney's fees incurred by the defendant.

(5) In any action brought under this section, the court may award to the state all costs of investigation and trial, including a reasonable attorney's fee to be fixed by the court. If the violation is found to have been intentional, the amount of the judgment, which shall for this purpose include the costs, may be trebled as punitive damages. If damages or trebled damages are awarded in such an action brought against a lobbyist, the judgment may be awarded against the lobbyist, and the lobbyist's employer or employers joined as defendants, jointly, severally, or both. If the defendant prevails, he shall be awarded all costs of trial, and may be awarded a reasonable attorney's fee to be fixed by the court to be paid by the state of Washington.

**NEW SECTION. Sec. 28.** This 1975 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.

**NEW SECTION. Sec. 29.** If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Signed by Senators Beck, Scott, Woody; Representatives King, Fortson, Hayner.

#### MOTION

On motion of Mr. King, the House adopted the report of the Free Conference Committee on Engrossed Second Substitute House Bill No. 827.

FINAL PASSAGE OF HOUSE BILL  
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Second Substitute House Bill No. 827 as amended by the Free Conference Committee.

Representatives King and Hayner spoke in favor of passage of the bill, and Mr. Brown spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 827 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 61; nays, 19; not voting, 18.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Berentson, Boldt, Bond, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Erickson, Fischer, Flanagan, Freeman, Gilleland, Haley, Hanna, Hansen, Hansey, Hawkins, Hayner, Hendricks, Jueling, Kilbury, King, Laughlin, Leckenby, Martinis, Matthews, McKibbin, Nelson, Newhouse, North, O'Brien, Pardini, Parker, Patterson, Polk, Savage, Schumaker, Sherman, Shinpoch, Smith E. P., Smith R., Sommers, Thompson, Tilly, Valle, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Bender, Blair, Brown, Chandler, Charnley, Conner, Eikenberry, Eng, Gaines, Gaspard, Greengo, Hurley G. S., Lee, Lysen, Maxie, Moon, Peterson, Warnke.

Not voting: Representatives Adams, Fortson, Gallagher, Haussler, Hurley M., Jastad, Kalich, Knowles, Kuehnle, Luders, May, McCormick, Moreau, Paris, Perry, Randall, Seeberger, Wilson.

Engrossed Second Substitute House Bill No. 827 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2210,  
SENATE BILL NO. 2886,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE HOUSE BILL NO. 206,  
HOUSE BILL NO. 310,  
SUBSTITUTE HOUSE BILL NO. 693,  
SUBSTITUTE HOUSE BILL NO. 866,  
SUBSTITUTE HOUSE BILL NO. 867,  
SUBSTITUTE HOUSE BILL NO. 972,  
SUBSTITUTE HOUSE BILL NO. 1143,  
SECOND SUBSTITUTE HOUSE BILL NO. 1146,  
SENATE BILL NO. 2210,  
SENATE BILL NO. 2886.

SPEAKER'S RULING

The Speaker: "Representative Curtis, you raised a point of order earlier in regard to House Bill No. 378 and the 36-hour rule. The best record we have is that this bill was before us at 9:30 last night, so therefore, your point of order is well taken."

RESOLUTION

HOUSE RESOLUTION NO. 75-51, by Representatives Randall, Pardini, Kilbury, Sommers, Erickson, Newhouse and Moon:

TO THE HONORABLE MARY ELLEN McCAFFREE, DIRECTOR OF THE DEPARTMENT OF REVENUE, AND TO THE ELECTED COUNTY ASSESSORS:

We, your petitioners, the House of Representatives of the state of Washington, in legislative session assembled, respectively represent and petition as follows:

WHEREAS, The state of Washington is responsible for the funding of education in the common schools of the state, and the state collected property tax is a major source of revenue used to meet the state's funding responsibility for basic education; and

WHEREAS, The amount of property tax collected by the state is dependent upon the valuation and assessment of property subject to taxation; and

WHEREAS, The laws of the state of Washington require that boats be subject to property taxation and pay the full amount of the state levy for common schools;

NOW, THEREFORE, Your petitioners respectively request and encourage the Department of Revenue and local county assessors to actively pursue the assessment of boats for state tax purposes so that all property subject to taxation pays its just share toward the funding of the state system of common schools.

AND BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the Honorable Mary Ellen McCaffree, Director of the Department of Revenue and each elected local county assessor.

Mr. Pardini moved adoption of the resolution, and a division was called.

#### ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 75-51, and the resolution was adopted by the following vote: Yeas, 43; nays, 14; not voting, 41.

Voting yea: Representatives Amen, Barnes, Boldt, Charette, Chatalas, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eng, Erickson, Freeman, Gaines, Gilleland, Greengo, Haley, Hanna, Hansen, Hayner, Kilbury, Laughlin, Lee, Lysen, Martinis, Maxie, McKibbin, Nelson, North, Pardini, Parker, Savage, Schumaker, Sherman, Smith E. P., Sommers, Thompson, Valle, Whiteside, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Becker, Bender, Brown, Charnley, Clemente, Cochrane, Conner, Flanagan, Hawkins, Hurley G. S., Matthews, Moon, Warnke.

Not voting: Representatives Adams, Bagnariol, Bauer, Berentson, Blair, Bond, Ceccarelli, Chandler, Eikenberry, Fischer, Fortson, Gallagher, Gaspard, Hansey, Haussler, Hendricks, Hurley M., Jastad, Juelling, Kalich, King, Knowles, Kuehnle, Leckenby, Luders, May, McCormick, Moreau, Newhouse, O'Brien, Paris, Patterson, Perry, Peterson, Polk, Randall, Seeberger, Shinpoch, Smith R., Tilly, Wilson.

#### MESSAGE FROM THE SENATE

March 25, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE SENATE BILL NO. 2011, notwithstanding the Governor's veto, by a vote of: Yeas, 34; nays, 14.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Conner moved that Senate Bill No. 2011 do pass the House notwithstanding the veto of the Governor.

Mr. Conner spoke in favor of the motion, and Representatives Blair, Haley, Smith (Rick) and Leckenby spoke against it.

Mr. Conner closed debate, speaking again in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion to pass Engrossed Senate Bill No. 2011 notwithstanding the veto of the Governor, and the motion was lost by the following vote: Yeas, 41; nays, 33; not voting, 24.

Voting yea: Representatives Bagnariol, Bauer, Bausch, Bender, Boldt, Ceccarelli, Charette, Chatalas, Clemente, Cochrane, Conner, Deccio, Ehlers, Erickson, Fischer, Gaines, Gaspard, Hanna, Hansen, Hawkins, Hendricks, Hurley G. S., Kilbury, Laughlin, Lysen, Martinis, Maxie, McKibbin, Moon, North, O'Brien, Parker, Savage, Sherman, Shinpoch, Thompson, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Becker, Berentson, Blair, Brown, Chandler, Charnley, Curtis, Douthwaite, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hansey, Hayner, Juelling, King, Leckenby, Lee, Matthews, Nelson, Pardini, Peterson, Polk, Schumaker, Smith R., Sommers, Tilly, Valle, Whiteside.

Not voting: Representatives Adams, Amen, Bond, Eng, Fortson, Gallagher, Haussler, Hurley M., Jastad, Kalich, Knowles, Kuehnle, Luders, May, McCormick, Moreau, Newhouse, Paris, Patterson, Perry, Randall, Seeberger, Smith E. P., Wilson.

Engrossed Senate Bill No. 2011 notwithstanding the veto of the Governor, having failed to receive the constitutional two-thirds majority, was declared lost.

The Speaker called on Mr. Bagnariol to preside.

#### RESOLUTION

HOUSE RESOLUTION NO. 75-55, by Representatives Douthwaite, Conner, Charnley, Valle, North, Becker, Sommers and Bender:

WHEREAS, Cancer is the most dreaded of man's physical afflictions, killing an adult or a child every two minutes in the United States; and

WHEREAS, One out of every six deaths in this country can be attributed to some form of cancer, a disease which strikes the young as well as the old and is the largest killer of children under fifteen years of age; and

WHEREAS, The need for more medical research on cancer is extreme and immediate, since without a dramatic breakthrough in the near future, one out of every four people will experience some form of this disease; and

WHEREAS, The Fred Hutchinson Cancer Research Center, formed in 1965 and included in the federal cancer program in 1971, conducts important diagnostic, treatment, rehabilitative, and educational programs for members of the public and of the medical profession; and

WHEREAS, The Center serves as a vital communication link for Washington, Oregon, Idaho, Alaska, and western Montana, assuring that this region has access to the latest developments in cancer research; and

WHEREAS, The center is an integral part of a nation-wide comprehensive research program instituted by the National Cancer Act to find cures for cancer, to improve treatment of cancer patients, and to educate physicians as well as the public concerning the newest findings of cancer research;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Friday, September 5th, 1975, be set aside as Fred Hutchinson Cancer Research Center Day in the state of Washington.

Mr. Conner moved adoption of the resolution.

Representatives Conner and Douthwaite spoke in favor of the resolution and Mr. Haley spoke against it.

House Resolution No. 75-55 was adopted.

#### MOTION

Mr. Hurley (George) moved that the rules be suspended and the vote be reconsidered by which the House failed to pass Substitute Senate Bill No. 2423 notwithstanding the Governor's veto.

#### POINT OF ORDER

Mr. Leckenby: "Rule 79 says that the vote on a vetoed bill cannot be reconsidered."

#### SPEAKER'S RULING (MR. BAGNARIOL PRESIDING)

The Speaker (Mr. Bagnariol presiding): "The motion was to suspend the rules, Representative Leckenby. You are correct, Rule 79 does say that, so the rules would have to be suspended in order to adopt Representative Hurley's motion, which takes a two-thirds vote."

Mr. Douthwaite spoke against the motion.

#### POINT OF ORDER

Mr. Hurley (George): "When I rose I made a motion, but I didn't speak on it. I yielded to somebody else and I didn't realize that you were going to rule that another person couldn't speak on it. I would like the privilege of completing my remarks."

The Speaker (Mr. Bagnariol presiding): "Representative Hurley, you did have the floor at that point in time and you had the opportunity to speak for your motion at that time."

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and reconsider the vote by which the House failed to override the Governor's veto on Substitute Senate Bill No. 2423, and the motion was lost by the following vote: Yeas, 40; nays, 27; not voting, 31.

Voting yeas: Representatives Amen, Barnes, Berentson, Boldt, Bond, Chandler, Clemente, Conner, Curtis, Deccio, Dunlap, Eikenberry, Fischer, Flanagan, Freeman, Gaines, Gilleland, Greengo, Hansen,



Hansey, Hayner, Hendricks, Hurley G. S., Kilbury, Leckenby, Lee, Lysen, Matthews, Nelson, Newhouse, North, Pardini, Parker, Patterson, Polk, Schumaker, Tilly, Valle, Whiteside, Zimmerman.

Voting nay: Representatives Bagnariol, Bausch, Becker, Bender, Brown, Charette, Charnley, Cochrane, Douthwaite, Ehlers, Eng, Gaspard, Haley, Hanna, Hawkins, Jueling, Laughlin, Martinis, McKibbin, Moon, Peterson, Savage, Smith E. P., Smith R., Thompson, Williams, Wojahn.

Not voting: Representatives Adams, Bauer, Blair, Ceccarelli, Chatalas, Erickson, Fortson, Gallagher, Haussler, Hurley M., Jastad, Kalich, King, Knowles, Kuehnle, Luders, Maxie, May, McCormick, Moreau, O'Brien, Paris, Perry, Randall, Seeberger, Sherman, Shinpoch, Sommers, Warnke, Wilson, and Mr. Speaker.

#### MOTION

On motion of Mr. Bender, the House reverted to the fourth order of business.

#### MESSAGES FROM THE SENATE

May 28, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2263,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 31, 1975

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2410,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 6, 1975

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE JOINT RESOLUTION NO. 131,  
SENATE CONCURRENT RESOLUTION NO. 112,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2263, by Committee on Higher Education (Originally sponsored by Senators Mardesich, Bailey, Matson, Benitz and Talley:

Providing a collective bargaining act for certain community college employees.

To Committee on Higher Education

ENGROSSED SENATE BILL NO. 2410, by Senators Sellar and Lewis (Harry) - (by Executive request):

Consolidating the administration of the various state retirement systems into a single department.

To Committee on Ways and Means

SUBSTITUTE SENATE JOINT RESOLUTION NO. 131, by Committee on Ways and Means (Originally sponsored by Senator Stortini):

Authorizing a state net income tax with limitations.

To Committee on Ways and Means

SENATE CONCURRENT RESOLUTION NO. 112, by Senators Jolly, Sellar, Wilson, Benitz, Day, Bailey, Beck, Bluechel, Bottiger, Buffington, Clarke, Cunningham, Donohue, Fleming, Francis, Goltz, Gould, Grant, Guess, Henry, Herr, Jones, Keefe, Knoblauch, Lewis (H.B.), Lewis (R.H.), Mardesich, Marsh, Matson, McDermott, Morrison, Murray, Newschwander, North, Odegaard, Peterson, Pullen, Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, von Reichbauer, Walgren, Wanamaker, Washington and Woody:

Recognizing the centennial celebration of state agriculture experiment stations and honoring the WSU Agricultural Research Center.

To Committee on Rules

MESSAGES FROM THE SENATE

June 9, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 206,  
HOUSE BILL NO. 310,  
HOUSE BILL NO. 612,  
SUBSTITUTE HOUSE BILL NO. 693,  
SUBSTITUTE HOUSE BILL NO. 866,  
SUBSTITUTE HOUSE BILL NO. 867,  
SUBSTITUTE HOUSE BILL NO. 1143,  
SECOND SUBSTITUTE HOUSE BILL NO. 1146.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 9, 1975

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 117,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 117, by Senators Bailey, Mardesich, Matson and Lewis (Harry):

Providing for transmittal of bills between the houses.

MOTION

On motion of Mr. Thompson, the rules were suspended, and Senate Concurrent Resolution No. 117 was advanced to second reading and read the second time in full.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 117 was placed on final passage.

Senate Concurrent Resolution No. 117 was adopted.

MESSAGES FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2210, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 9, 1975

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2046, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 2346, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

June 9, 1975

Mr. Speaker:

The Senate has adopted:

## SENATE CONCURRENT RESOLUTION NO. 119,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 119, by Senator Odegaard:

Suspension of rules for Engrossed Substitute Senate Bill No. 2736.

## MOTION

On motion of Mr. Thompson, the rules were suspended, and Senate Concurrent Resolution No. 119 was advanced to second reading and read the second time in full.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 119 was placed on final passage, and adopted.

## MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

June 8, 1975

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, making certain corrections and adjustments in the tax laws, have had the same under consideration, and we recommend that the bill be amended to read as follows:

"AN ACT Relating to revenue and taxation; amending section 1, chapter 191, Laws of 1939 as last amended by section 4, chapter 4, Laws of 1973 2nd ex. sess. and RCW 70.12.010; amending section 1, chapter 162, Laws of 1943 as last amended by section 79, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.010; amending section 16, chapter 277, Laws of 1971 ex. sess. as amended by section 2, chapter 213, Laws of 1973 1st ex. sess. and RCW 70.33.020; amending section 18, chapter 277, Laws of 1971 as amended by section 81, chapter 195, Laws of 1973 1st ex. sess. and by section 4, chapter 213, Laws of 1973 1st ex. sess. and RCW 70.33.040; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 1, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.050; amending section 82.04.120, chapter 15, Laws of 1961 as amended by section 3, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.120; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260; amending section 4, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.443; amending section 82.04.460, chapter 15, Laws of 1961 and RCW 82.04.460; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 185, Laws of 1974 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 2, chapter 185, Laws of 1974 ex. sess. and RCW 82.12.030; amending section 84.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.020; amending section 1, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.381; amending section 2, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.383; amending section 4, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.387; amending section 8, chapter 169, Laws of 1974 ex. sess. and RCW 84.36.470; amending section 9, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.815; amending section 11, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.825; amending section 19, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.865; amending section 84.69.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 122, Laws of 1974 ex. sess. and RCW 84.69.020; adding a new section to chapter 191, Laws of 1939 and to chapter 70.12 RCW; adding new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW; adding a new chapter to Title 84 RCW; creating new sections; repealing section 1, chapter 191, Laws of 1939, section 1, chapter 163, Laws of 1943, section 6, chapter 47, Laws of 1970 ex. sess., section 78, chapter 195, Laws of 1973 1st ex. sess., section 4, chapter 4, Laws of 1973 2nd ex. sess., section 1, chapter ... (ESSB 2736), Laws of 1975 1st ex. sess. and RCW 70.12.010; repealing section 3, chapter 117, Laws of 1959, section 1, chapter 101, Laws of 1961, section 15, chapter 110, Laws of 1967 ex. sess., section 24, chapter 277, Laws of 1971 ex. sess., section 80, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.090; repealing section 5, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.010; repealing section 6, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.020; repealing section 7, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.030; repealing section 8, chapter 277, Laws of

1971 ex. sess., section 5, chapter 213, Laws of 1973 1st ex. sess. and RCW 70.35.040; repealing section 9, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.050; repealing section 10, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.060; repealing section 11, chapter 277, Laws of 1971 ex. sess., section 1, chapter 143, Laws of 1972 ex. sess., section 82, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.35.070; repealing section 5, chapter 143, Laws of 1972 ex. sess. and RCW 70.35.075; repealing section 12, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.080; repealing section 13, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.090; repealing section 14, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.100; repealing section 6, chapter 143, Laws of 1972 ex. sess. and RCW 70.35.110; repealing section 18, chapter 288, Laws of 1971 ex. sess. and RCW 84.10.010; prescribing effective dates; and declaring an emergency.

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

Section 1. Section 1, chapter 191, Laws of 1939 as last amended by section 4, chapter 4, Laws of 1973 2nd ex. sess. and RCW 70.12.010 are each amended to read as follows:

Each board of county commissioners shall annually budget and levy as a tax for public health work in its county a sum equal to the amount which would be raised by a levy of ~~((four and one-half))~~ nine cents per thousand dollars of assessed value against the taxable property in the county, but nothing herein contained shall prohibit a county from obtaining said public health funds from any other source of county revenue or from budgeting additional sums for public health work.

This section shall expire on January 1, 1978.

**NEW SECTION. Sec. 2.** There is added to chapter 191, Laws of 1939 and to chapter 70.12 RCW a new section to read as follows:

Each county legislative authority shall annually budget and appropriate a sum for public health work.

Sec. 3. Section 1, chapter 162, Laws of 1943 as last amended by section 79, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.010 are each amended to read as follows:

Tuberculosis is a communicable disease and tuberculosis control, case finding, prevention and follow up of known cases of tuberculosis represents the basic step in the conquest of this major health problem. In order to carry on such work effectively in accordance with the standards set by the secretary pursuant to RCW 70.33.020, the legislative authority of each county ~~((enumerated in RCW 70.33.040))~~ shall budget and ~~((shall levy annually a tax in))~~ appropriate a sum ~~((equal to the amount which would be raised by a levy of six and one-quarter cents per thousand dollars of assessed value against the taxable property in any county enumerated in RCW 70.33.040.))~~ to be used for the control of tuberculosis, including case finding, prevention and follow up of known cases of tuberculosis ~~((- PROVIDED, That upon certification of the secretary that any such county has an unexpended balance from such levy, over and above the amount required for adequate tuberculosis control, including case finding, prevention and follow up of known cases of tuberculosis within such county, the legislative authority may budget and reappropriate the same for such tuberculosis control for the ensuing year, or it may allocate from time to time such unexpended balance, or any portion thereof, to the county health department for use in furtherance of other communicable disease prevention or control, or as provided in RCW 70.32.090 as now or hereafter amended. The sum herein provided for, and any income that may accrue from miscellaneous receipts in connection with the tuberculosis control program of such county, shall be placed in the county treasury in a special fund to be known as the tuberculosis fund, and obligations incurred for the tuberculosis control program shall be paid from said fund by the county treasurer in the same manner as general county obligations are paid. The county auditor shall furnish to the legislative authority and the department a monthly report of receipts and disbursements in the tuberculosis fund, which report shall also show balances of cash on hand))~~.

Sec. 4. Section 16, chapter 277, Laws of 1971 ex. sess. as amended by section 2, chapter 213, Laws of 1973 1st ex. sess. and RCW 70.33.020 are each amended to read as follows:

From and after August 9, 1971, the secretary shall have responsibility for establishing standards for the control, prevention and treatment of tuberculosis and shall have administrative responsibility and control for all tuberculosis hospital facilities in the state operated pursuant to this chapter and RCW 70.32.010, 70.32.050, 70.32.060 and 70.32.090 and for providing, either directly or through agreement, contract or purchase, hospital, nursing home and other appropriate facilities and services including laboratory services for persons who are, or may be suffering from tuberculosis ~~((except as otherwise provided by RCW 70.30.061, 70.33.020, 70.33.030, 70.33.040 and 70.35.040))~~.

Pursuant to that responsibility, the secretary shall have the following powers and duties:

(1) To develop and enter into such agreements, contracts or purchase arrangements with counties and public and private agencies or institutions to provide for hospitalization, nursing

home or other appropriate facilities and services for persons who are or may be suffering from tuberculosis, or to provide for and maintain any tuberculosis hospital facility which the secretary determines is necessary to meet the needs of the state, to determine where such hospitals shall be located and to adequately staff such hospitals to meet patient care needs;

(2) To appoint a medical director for each tuberculosis hospital facility operated pursuant to this chapter and RCW 70.32.010, 70.32.050, 70.32.060 and 70.32.090;

(3) Adopt such rules and regulations as are necessary to assure effective patient care and treatment, and to provide for the general administration of tuberculosis hospital facilities operated pursuant to this chapter and RCW 70.32.010, 70.32.050, 70.32.060 and 70.32.090.

Sec. 5. Section 18, chapter 277, Laws of 1971 as amended by section 81, chapter 195, Laws of 1973 1st ex. sess. and by section 4, chapter 213, Laws of 1973 1st ex. sess. and RCW 70.33.040 are each amended and reenacted to read as follows:

In order to maintain adequate tuberculosis hospital facilities and to provide for adequate hospitalization, nursing home and other appropriate facilities and services for the residents of the state of Washington who are or may be suffering from tuberculosis and to assure their proper care ((pursuant to this chapter)), the standards set by the secretary pursuant to RCW 70.33.020 and ((RCW 70.32.010;)) 70.32.050(;) and 70.32.060 ((and 70.32.090)), the legislative authority of ((Clallam, Jefferson, Kitsap, Mason, Grays Harbor, Thurston, Pacific, Lewis, Wahkiakum, Cowlitz, Clark, Skamania, Klickitat, Pierce, King, Snohomish, Skagit, Whatcom, San Juan and Island counties)) each county shall ((levy annually a tax in the sum equal to the amount which would be raised by a levy of six and one-quarter cents per thousand dollars of assessed value against the taxable property)) budget and appropriate annually a sum to provide such services in the county.

If such counties desire to receive state services, they may elect to utilize funds ((collected)) pursuant to this section for the purpose of contracting with the state upon agreement by the state for the cost of providing tuberculosis hospitalization and/or outpatient treatment including laboratory services, or such funds may be retained by the county for operating its own services for the prevention and treatment of tuberculosis or any other community health purposes authorized by law. None of such counties shall be required to make any payments to the state or any other agency from these funds except upon the express consent of the county legislative authority: PROVIDED, That if the counties do not comply with the promulgated standards of the department the secretary shall take action to provide such required services and to charge the affected county directly for the provision of these services by the state.

Sec. 6. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 1, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.050 are each amended to read as follows:

"Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), or (c) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer

camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term "janitorial services" shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term "janitorial services" does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for personal business or professional services, including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities; (a) amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others; (b) abstract, title insurance and escrow businesses; (c) credit bureau businesses; (d) automobile parking and storage garage businesses.

The term shall also include the renting or leasing of tangible personal property to consumers.

The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

The term shall not include the sale of or charge made for (~~tangible personal property consumed and/or for~~) labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority.

Sec. 7. Section 82.04.120, chapter 15, Laws of 1961 as amended by section 3, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.120 are each amended to read as follows:

"To manufacture" embraces all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different or useful substance or article of tangible personal property is produced for sale or commercial or industrial use, and shall include the production or fabrication of special made or custom made articles, and the generation or production of electrical energy for resale or consumption outside the state.

"To manufacture" shall not include activities which consist of cutting, grading, or ice glazing sea-food which has been cooked, frozen or canned outside this state.

Sec. 8. Section 82.04.260, chapter 15, Laws of 1961 as last amended by section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of one-quarter of one percent.

(4) Upon every person engaging within this state in the business of manufacturing sea-food products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of one-eighth of one percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of three-tenths of one percent.

(6) Upon every person engaging within this state in the business of manufacturing aluminum pig, ingot, billet, plate, sheet (flat or coiled), rod, bar, wire, cable or extrusions; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of four-tenths of one percent.

(7) Upon every nonprofit corporation and nonprofit association, engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of forty-four one-hundredths of one percent.

(8) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of thirty-three one-hundredths of one percent.

(9) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of twenty-five one-hundredths of one percent.

(10) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of twenty-five one-hundredths of one percent.

(11) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of twenty-five one-hundredths of one percent.

Sec. 9. Section 4, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.443 are each amended to read as follows:

For the purposes of this chapter:

"Business inventories" means all livestock and means personal property acquired or produced solely for the purpose of sale, or for the purpose of consuming such property in producing for sale a new article of tangible personal property of which such property becomes an ingredient or component. Business inventories shall not mean personal property acquired or produced for the purpose of lease or rental. It shall include inventories of finished goods and work in process.

"Successor" shall have the meaning given to it in RCW 82.04.180.

Sec. 10. Section 82.04.460, chapter 15, Laws of 1961 and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services shall, for the purpose of computing tax liability under ~~((this chapter))~~ RCW 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.010(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states.

Sec. 11. Section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 185, Laws of 1974 ex. sess. and RCW 82.08.030 are each amended to read as follows:

The tax hereby levied shall not apply to the following sales:

(1) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16 or 82.28 RCW: PROVIDED, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12 RCW;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16 RCW, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter;

(3) The distribution and newsstand sale of newspapers;

(4) Sales which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(5) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and sales of motor vehicle fuel taxable under chapter 82.36 RCW: PROVIDED, That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12 RCW;

(6) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) of RCW 82.16.010;

(7) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

(8) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

(9) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(10) Sales of tangible personal property (other than the type referred to in subdivision (11) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: PROVIDED, That



any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12 RCW;

(11) Sales of airplanes, locomotives, railroad cars, or watercraft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or watercraft, and of motor vehicles or trailers whether owned by or leased with or without drivers and used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving;

(12) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce whether such use is by the owner or whether such motor vehicles and trailers are leased to the user with or without drivers: PROVIDED, That the purchaser or user must be the holder of a carrier permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article of personal property belonging to such nonresident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use according to the Federal Boating Act of 1958, even though delivery be made within this state, but only when (a) the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the department of revenue and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use outside of this state, one copy to be filed with the department of revenue with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the department of revenue shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited

to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended;

(20) Sales of semen for use in the artificial insemination of livestock;

(21) Sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that he is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of one dollar. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

(22) Sales of form lumber to any person engaged in the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(23) Sales of, cost of, or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel and rock when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to sales of, cost of, or charges made for such labor and services, if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(24) Sales of wearing apparel to persons who themselves use such wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(25) Sales of pollen.

(26) Sales to one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

(27) The renting or leasing of motor vehicles and trailers to a nonresident of this state for use exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and for purposes of this exemption the term "nonresident" shall apply to a renter or lessee who has one or more places of business in this state as well as in one or more other states but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained and operated from the renter's or lessee's place of business in another state.

(28) Sales of prescription drugs. The term "prescription drugs" shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment (~~in humans ordered by the written direction of a dentist, physician, or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order~~) in humans ordered by (a) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (b) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (c) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (d) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

(29) Sales of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers.

(30) Sales of insulin, prosthetic devices, and medically prescribed oxygen.

Sec. 12. Section 82.12.030, chapter 15, Laws of 1961 as last amended by section 2, chapter 185, Laws of 1974 ex. sess. and RCW 82.12.030 are each amended to read as follows:

The provisions of this chapter shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the state by a nonresident thereof for his use or enjoyment while temporarily within the state unless such property is used in conducting a nontransitory business activity within the state; or in respect to the use by a nonresident of this state of a motor vehicle which is registered or licensed under the laws of the state of his residence and is not used in this state more than three months, and which is not required to be registered or licensed under the laws of this state; or in respect to the use of household goods, personal effects and private automobiles by a bona fide resident of this state, if such articles were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than thirty days prior to the time he entered this state;

(2) In respect to the use of any article of tangible personal property purchased at retail or acquired by lease, gift or bailment if the sale thereof to, or the use thereof by, the present user or his bailor or donor has already been subjected to the tax under chapter 82.08 or 82.12 RCW and such tax has been paid by the present user or by his bailor or donor; or in respect to the use of property acquired by bailment and such tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 or 82.12 RCW as of the time of first use; or in respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and such original bailment was prior to June 9, 1961;

(3) In respect to the use of any article of tangible personal property the sale of which is specifically taxable under chapter 82.16 RCW;

(4) In respect to the use of any airplane, locomotive, railroad car, or watercraft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and in respect to use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or watercraft, and in respect to the use by a nonresident of this state of any motor vehicle or trailer used exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and in respect to the use by a nonresident of this state of any motor vehicle or trailer so registered and licensed and used within this state for a period not exceeding fifteen consecutive days under such rules as the department of revenue shall adopt: PROVIDED, That under circumstances determined to be justifiable by the department of revenue a second fifteen day period may be authorized consecutive with the first fifteen day period; and for the purposes of this exemption the term "nonresident" as used herein, shall include a user who has one or more places of business in this state as well as in one or more other states, but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained, and operated from the user's place of business in another state; and in respect to the use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer whether owned by or leased with or without driver to the permit holder and used in substantial part in the normal

and ordinary course of the user's business for transporting therein persons or property for hire across the boundaries of this state if the first use of which within this state is actual use in conducting interstate or foreign commerce; and in respect to the use of any motor vehicle or trailer while being operated under the authority of a one-transit permit issued by the director of motor vehicles pursuant to RCW 46.16.100 and moving upon the highways from the point of delivery in this state to a point outside this state; and in respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state whether such motor vehicle or trailer is owned by or leased with or without driver to the permit holder;

(5) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the Constitution of the state or under the Constitution or laws of the United States;

(6) In respect to the use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and motor vehicle fuel taxable under chapter 82.36 RCW: PROVIDED, That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the director of motor vehicles shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the department of revenue;

(7) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, by the state or a political subdivision thereof in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of RCW 82.16.010;

(8) In respect to the use of tangible personal property (including household goods) which have been used in conducting a farm activity, if such property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise;

(9) In respect to the use of tangible personal property by corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, flood, and other national calamities and to devise and carry on measures for preventing the same;

(10) In respect to the use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(11) In respect to the use of poultry in the production for sale of poultry or poultry products;

(12) In respect to the use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same;

(13) In respect to the use of motor vehicles, equipped with dual controls, which are loaned to and used exclusively by a school in connection with its driver training program: PROVIDED, That this exemption and the term "school" shall apply only to (a) the University of Washington, Washington State University, the state colleges and the state community colleges or (b) any public, private or parochial school accredited by either the state board of education or by the University of Washington (the state accrediting station) or (c) any public vocational school meeting the standards, courses and requirements established and prescribed or approved in accordance with the Community College Act of 1967 (chapter 8, Laws of 1967 first extraordinary session);

(14) In respect to the use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to the taxes imposed by chapter 82.08 RCW or chapter 82.12 RCW;

(15) In respect to the use by residents of this state of motor vehicles and trailers acquired and used while such persons are members of the armed services and are stationed outside this state pursuant to military orders, but this exemption shall not apply to members of the armed services called to active duty for training purposes for periods of less than six months and shall not apply to the use of motor vehicles or trailers acquired less than thirty days prior to the discharge or release from active duty of any person from the armed services;

(16) In respect to the use of semen in the artificial insemination of livestock;

(17) In respect to the use of form lumber by any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof;

(18) In respect to the use of any sand, gravel, or rock to the extent of the cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling such sand, gravel, or rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to the use of such material to the extent of the cost of or charge made for such labor and services, if the material is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(19) In respect to the use of wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(20) In respect to the use of tangible personal property held for sale and displayed in single trade shows for a period not in excess of thirty days, the primary purpose of which is to promote the sale of products or services.

(21) In respect to the use of pollen.

(22) In respect to the use of the personal property of one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

(23) In respect to the use of prescription drugs. The term "prescription drugs" shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment (~~in humans ordered by the written direction of a dentist, physician, or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order~~) in humans ordered by (a) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (b) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (c) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (d) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

(24) In respect to the use of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers.

(25) In respect to the use of insulin, prosthetic devices, and medically prescribed oxygen.

Sec. 13. Section 84.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.020 are each amended to read as follows:

The following property shall be exempt from taxation:

All lands, and buildings required for necessary administration and maintenance, used, or to the extent used, exclusively for public burying grounds or cemeteries without discrimination as to race, color, national origin or ancestry;

All churches and the ground, not exceeding five acres in area, upon which a church of any nonprofit recognized religious denomination is or shall be built, together with a parsonage (~~and~~), convent, and buildings and improvements required for the maintenance and safeguarding of such property. The area exempted shall in any case include all ground covered by the church, parsonage (~~and~~), convent, and buildings and improvements required for the maintenance and safeguarding of such property and the structures and ground necessary for street access, parking, light, and ventilation, but the area of unoccupied ground exempted in such cases, in connection with church, parsonage, (~~and~~) convent, and buildings and improvements required for the maintenance and safeguarding of such property, shall not exceed the equivalent of one hundred twenty by one hundred twenty feet except where additional unoccupied land may be required to conform with state or local codes, zoning, or licensing requirements. The parsonage and convent need not be on land contiguous to the

church property. To be exempt the property must be wholly used for church purposes: PROVIDED, That the loan or rental of property otherwise exempt under this paragraph to a nonprofit organization, association, or corporation, or school for use for an eleemosynary activity shall not nullify the exemption provided in this paragraph if the rental income, if any, is reasonable and is devoted solely to the operation and maintenance of the property.

**NEW SECTION.** Sec. 14. The real and personal property of the administrative offices of non-profit recognized religious organizations shall be exempt to the extent that the property is used for the administration of the religious programs of the organization and such other programs as would be exempt under RCW 84.36.020 and 84.36.030 as now or hereafter amended.

Sec. 15. Section 1, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.381 are each amended to read as follows:

A person shall be exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed in accordance with the following conditions:

(1) The property taxes must have been imposed upon a residence which has been regularly occupied by the person claiming the exemption during the two calendar years preceding the year in which the exemption claim is filed; or the property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of January 1st of the year for which the claim is filed and the person claiming the exemption must also have been a resident of the state of Washington for the last three calendar years preceding the year in which the claim is filed: PROVIDED, That any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant shall receive an exemption on more than one residence in any year(;;);

(2) The person claiming the exemption must have owned, at the time of filing, in fee, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes of this subsection, a residence owned by a marital community shall be deemed to be owned by each spouse(;;);

(3) The person claiming the exemption must have been sixty-two years of age or older on January 1st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability(;;);

(4) The amount that the person shall be exempt from an obligation to pay shall be calculated, on the basis of the combined income, from all sources whatsoever, of the person claiming the exemption and his or her spouse for the preceding calendar year, in accordance with the following schedule:

Income Range	Percentage of Excess Levis Exemption
\$5,000 or less	One hundred percent
\$5,001 - \$6,000	Fifty percent

PROVIDED, HOWEVER, That, in addition, any person, who otherwise qualifies under the provisions of this section, and is within the income range of four thousand dollars or less shall be exempt from any obligation to pay regular property taxes on up to five thousand dollars of valuation of his or her residence: PROVIDED FURTHER, That only two-thirds of any social security benefits, federal civil service retirement, or railroad retirement pension shall be considered as income for the purposes of this section: AND PROVIDED FURTHER, That the gain realized by any person from the sale, transfer, or upon being displaced from his or her residence shall not be considered as income for the purposes of this section if reinvested in a replacement residence within eighteen months of its realization.

Sec. 16. Section 2, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.383 are each amended to read as follows:

As used in this chapter, except where the context clearly indicates a different meaning:

(1) The term "residence" shall mean a single family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands not to exceed one acre. The term shall also include a share ownership in a cooperative housing association, corporation, or partnership if the person claiming exemption can establish that his or her share represents the specific unit or portion of such structure in which he or she resides. The term shall also include a single family dwelling situated upon lands the fee of

which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington, and notwithstanding the provisions of RCW 84.04.080, 84.04.090 or 84.40.250, such a residence shall be deemed real property.

(2) The term "real property" except for the purposes of chapters 84.56 and 84.60 RCW, shall also include a mobile home which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe, connections with sewer, water, or other utilities.

(3) The term "preceding calendar year" shall mean the calendar year preceding the year in which the claim for exemption is to be made.

(4) "Department" shall mean the state department of revenue.

Sec. 17. Section 4, chapter 182, Laws of 1974 ex. sess. and RCW 84.36.387 are each amended to read as follows:

(1) All claims for exemption shall be made and signed by the person entitled to the exemption, by his or her attorney in fact or in the event the residence of such person is under mortgage or purchase contract requiring accumulation of reserves out of which the holder of the mortgage or contract is required to pay real estate taxes, by such holder or by the owner, either before two witnesses or the county (~~treasurer~~) assessor or his deputy in the county where the real property is located: PROVIDED, That if a claim for exemption is made by a person living in a cooperative housing association, corporation, or partnership, such claim shall be made and signed by the person entitled to the exemption and by the authorized agent of such cooperative.

(2) If the taxpayer is unable to submit his own claim, the claim shall be submitted by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

(3) Any person signing a false claim with the intent to defraud or evade the payment of any tax shall be guilty of the offense of perjury.

(4) The tax liability of a cooperative housing association, corporation, or partnership shall be reduced by the amount of tax exemption to which a claimant residing therein is entitled and such cooperative shall reduce any amount owed by the claimant to the cooperative by such exact amount of tax exemption or, if no amount be owed, the cooperative shall make payment to the claimant of such exact amount of exemption.

Sec. 18. Section 8, chapter 169, Laws of 1974 ex. sess. and RCW 84.36.470 are each amended to read as follows:

(~~All animals, birds, or insects, and all agricultural crops.~~) Any agricultural or horticultural produce or crop, including any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom grown or produced for sale by any person upon his own lands or upon lands in which he has a present right of possession who is exempted from payment of business and occupation tax pursuant to RCW 82.04.330 as now or hereafter amended shall be assessed for the purposes of ad valorem taxes according to the following schedule:

Commencing with assessment as of January 1, 1975, for taxes due in 1976 the assessment level shall be seventy-five percent of true and fair value.

Commencing with assessment as of January 1, 1976, for taxes due in 1977 the assessment level shall be seventy percent of true and fair value.

Commencing with assessment as of January 1, 1977, for taxes due in 1978 the assessment level shall be sixty percent of true and fair value.

Commencing with assessment as of January 1, 1978, for taxes due in 1979 the assessment level shall be fifty percent of true and fair value.

Commencing with assessment as of January 1, 1979, for taxes due in 1980 the assessment level shall be forty percent of true and fair value.

Commencing with assessment as of January 1, 1980, for taxes due in 1981 the assessment level shall be thirty percent of true and fair value.

Commencing with assessment as of January 1, 1981, for taxes due in 1982 the assessment level shall be twenty percent of true and fair value.

Commencing with assessment as of January 1, 1982, for taxes due in 1983 the assessment level shall be ten percent of true and fair value.

Commencing with assessment as of January 1, 1983, for taxes due in 1984 such inventories shall be fully exempt under chapter 84.36 RCW.

Commencing with January 1, 1983, assessments for taxes due in 1984, taxpayers shall not be required to report, or assessors to list, the inventories covered by this phase out exemption.

Nothing in this section shall be construed to remove or otherwise affect any exemption from assessment granted by RCW 84.44.060.

Sec. 19. Section 9, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.815 are each amended to read as follows:

In order to qualify ~~((or requalify))~~ for exempt status for real or personal property pursuant to the provisions of chapter 84.36 RCW, as now or hereafter amended, all foreign national governments, churches, cemeteries, nongovernmental nonprofit corporations, organizations, and associations, private schools or colleges, and soil and water conservation districts ~~((must))~~ shall file an ~~((annual renewal))~~ initial application ~~((verifying the facts in the original claim))~~ on or before March 31 with the state department of revenue. All ~~((application forms shall be signed by an authorized agent of the applicant. Such))~~ applications ~~((must))~~ shall be filed on forms prescribed by the department ~~((of revenue no later than March 31 of each year. The department of revenue may provide by rule that such applications may be available at and filed with each county assessor and forwarded to the department of revenue for review))~~ and shall be signed by an authorized agent of the applicant.

In order to requalify for exempt status, such applicants except nonprofit cemeteries shall file a renewal application on or before March 31 of the fourth year following the date of such initial application and on or before March 31 of every fourth year thereafter. An applicant previously granted exemption shall annually file on forms prescribed by the department an affidavit certifying the exempt status of the real or personal property owned by the exempt organization: PROVIDED, That where an applicant previously granted exemption acquires or otherwise converts real property to exempt status, such applicant shall file a renewal application no later than sixty days following the conversion of such real property to exempt status. Failure to file a renewal application within sixty days of conversion of such real property to exempt status shall nullify the exemption otherwise available for such property in the year of such conversion.

Sec. 20. Section 11, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.825 are each amended to read as follows:

An application fee of thirty-five dollars for each ~~((annual))~~ initial and renewal application ~~((for exemption))~~ shall be required and shall be deposited within the general fund. Applications made for assessment year 1974 ~~((will))~~, if approved, shall be considered initial applications whether or not an exemption has previously been approved.

Sec. 21. Section 19, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.865 are each amended to read as follows:

The department of revenue of the state of Washington shall make such rules and regulations consistent with chapter 34.04 RCW and the provisions of this ~~((1973 amendatory act))~~ chapter as shall be necessary or desirable to permit its effective administration.

Sec. 22. Section 84.69.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 122, Laws of 1974 ex. sess. and RCW 84.69.020 are each amended to read as follows:

On order of the board of county commissioners or other county legislative authority of any county, ad valorem taxes paid before or after delinquency shall be refunded if they were:

- (1) Paid more than once; or
- (2) Paid as a result of manifest error in description; or
- (3) Paid as a result of a clerical error in extending the tax rolls; or
- (4) Paid as a result of other clerical errors in listing property; or
- (5) Paid with respect to improvements which did not exist on assessment date; or
- (6) Paid under levies or statutes adjudicated to be illegal or unconstitutional; or
- (7) Paid as a result of mistake, inadvertence, or lack of knowledge by any person exempted from paying real property taxes or a portion thereof pursuant to ~~((RCW 84.36.128 or pursuant to RCW 84.36.370 and 84.36.380))~~ RCW 84.36.381 through 84.36.389, as now or hereafter amended; or

(8) Paid or overpaid as a result of mistake, inadvertence, or lack of knowledge by either a public official or employee or by any person paying the same or paid as a result of mistake, inadvertence, or lack of knowledge by either a public official or employee or by any person paying the same with respect to real property in which the person paying the same has no legal interest; or

(9) Paid on the basis of an assessed valuation which was appealed to the county board of equalization and ordered reduced by the board; or

(10) Paid on the basis of an assessed valuation which was appealed to the state board of tax appeals and ordered reduced by the board: PROVIDED, That the amount refunded under subsections (9) and (10) shall only be for the difference between the tax paid on the



basis of the appealed valuation and the tax payable on the valuation adjusted in accordance with the board's order.

(11) Paid as a state property tax levied upon county assessed property, the assessed value of which has been established by the state board of tax appeals for the year of such levy: PROVIDED, HOWEVER, That the amount refunded shall only be for the difference between the state property tax paid and the amount of state property tax which would, when added to all other property taxes within the one percent limitation of Article VII, section 2 (Amendment 59) of the state Constitution equal one percent of the assessed value established by the board.

No refunds under the provisions of this section shall be made because of any error in determining the valuation of property, except as authorized in subsection (9), (10), and (11).

**NEW SECTION. Sec. 23.** There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

The following property shall be exempt from taxation: The real and personal property of a nonprofit fair association that sponsors or conducts a fair or fairs which receive support from revenues collected pursuant to RCW 67.16.100 and allocated by the director of the department of agriculture. The loan or rental of property otherwise exempt under this section to a nonprofit organization, association, or corporation, or municipal corporation shall not nullify the exemption provided in this section if the rental income, if any, is reasonable and is devoted solely to the operation and maintenance of the property. The loan or rental of property otherwise exempt under this section to a private concessionaire or to any person for use as a concession in conjunction with activities permitted under this section shall not nullify the exemption if the concession charges are subject to agreement and the rental income, if any, is reasonable and is devoted solely to the operation and maintenance of the property.

**NEW SECTION. Sec. 24.** There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

All property owned in fee or by contract purchase by any nonprofit corporation or association which is available without charge for research by, or for the training of, doctors, nurses, laboratory technicians, hospital administrators and staff or other hospital personnel, and which otherwise is used exclusively for medical research, the results of which will be available without cost to the public, shall be exempt from ad valorem taxation.

**NEW SECTION. Sec. 25.** The following acts or parts of acts are each hereby repealed:

(1) Section 1, chapter 191, Laws of 1939, section 1, chapter 163, Laws of 1943, section 6, chapter 47, Laws of 1970 ex. sess., section 78, chapter 195, Laws of 1973 1st ex. sess., section 4, chapter 4, Laws of 1973 2nd ex. sess., section 1, chapter ... (ESSB 2736), Laws of 1975 1st ex. sess. and RCW 70.12.010;

(2) Section 3, chapter 117, Laws of 1959, section 1, chapter 101, Laws of 1961, section 15, chapter 110, Laws of 1967 ex. sess., section 24, chapter 277, Laws of 1971 ex. sess., section 80, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.090;

(3) Section 5, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.010;

(4) Section 6, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.020;

(5) Section 7, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.030;

(6) Section 8, chapter 277, Laws of 1971 ex. sess., section 5, chapter 213, Laws of 1973 1st ex. sess. and RCW 70.35.040;

(7) Section 9, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.050;

(8) Section 10, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.060;

(9) Section 11, chapter 277, Laws of 1971 ex. sess., section 1, chapter 143, Laws of 1972 ex. sess., section 82, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.35.070;

(10) Section 5, chapter 143, Laws of 1972 ex. sess. and RCW 70.35.075;

(11) Section 12, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.080;

(12) Section 13, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.090;

(13) Section 14, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.100;

(14) Section 6, chapter 143, Laws of 1972 ex. sess. and RCW 70.35.110; and

(15) Section 18, chapter 288, Laws of 1971 ex. sess. and RCW 84.10.010.

**NEW SECTION. Sec. 26.** Any moneys for such tuberculosis hospital district purposes not theretofore expended upon the effective date of section 25 of this 1975 amendatory act and not used in the decommissioning of the tuberculosis hospital facilities to be abolished as provided in section 25 of this 1975 amendatory act shall be distributed pro rata as between the counties of Okanogan, Chelan, Kittitas, Yakima, Benton, Walla Walla, Franklin, Grant, Douglas, Ferry, Lincoln, Adams, Columbia, Asotin, Garfield, Whitman, Spokane, Stevens and Pend Oreille, to be used by such counties for health purposes in such manner as they

shall determine. The department of social and health services shall aid in the effective decommissioning of such tuberculosis hospital facilities to be so abolished by January 1, 1977 in such manner as the secretary thereof shall determine and as necessary to carry out the purposes of sections 25 and 26 of this 1975 amendatory act.

**NEW SECTION. Sec. 27.** Savings once deemed adequate for retirement living have been rendered inadequate by increased tax rates, increased property values, and the failure of pension systems to adequately reflect such factors. It is therefore deemed necessary that the legislature, in addition to that tax exemption as provided for in RCW 84.36.381 through 84.36.389 as now or hereafter amended, allow retired persons to defer payment of special assessments on their residences, and to defer their real property tax obligations on their residences, an amount of up to eighty percent of their equity in said property. This deferral program is intended to assist retired persons in maintaining their dignity and a reasonable standard of living by residing in their own homes, providing for their own needs, and managing their own affairs without requiring assistance from public welfare programs.

**NEW SECTION. Sec. 28.** Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meanings:

(1) "Claimant" means a retired person who elects to defer payment of the special assessments and/or real property taxes accrued on his residence by filing a declaration to defer as provided by this chapter.

When two individuals of a household file or seek to file a declaration to defer, they may determine between them as to who the claimant shall be.

(2) "Consumer price index" shall mean the consumer price index for urban wage earners and clerical workers as compiled by the bureau of labor statistics of the United States department of labor.

(3) "Department" means the state department of revenue.

(4) "Equity value" means the amount by which the fair market value of a residence as determined from the records of the county assessor exceeds the total amount of any liens or other obligations against the property.

(5) "Owned" includes possession under a contract of sale, deed of trust, or tenancy in common.

(6) "Special assessment" means the charge or obligation imposed by a city, town, county, or other municipal corporation upon property specially benefited by a local improvement.

(7) "Real property taxes" means ad valorem property taxes levied on a residence in this state in the preceding calendar year. If a residence is an integral part of a larger unit such as a farm, or a multi-purpose or multi-dwelling building, real property taxes shall be that percentage of the total property taxes accrued as the value of the residence is of the total value of the unit. For purposes of this paragraph "unit" refers to the parcel of property covered by a single tax statement of which the residence is a part.

(8) "Preceding calendar year" shall mean the calendar year preceding the year in which the application for deferral of special assessment and/or real property taxes is made.

(9) The term "residence" shall mean a single family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands not to exceed one acre per unit. The term shall also include a single family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington or its municipal corporations, and notwithstanding the provisions of RCW 84.04.080, 84.04.090, or 84.40.250, such a residence shall be deemed real property.

(10) The term "real property", except for the purposes of chapters 84.56 and 84.60 RCW, shall also include a mobile home which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe, connections with sewer, water or other utilities.

**NEW SECTION. Sec. 29.** A retired person may elect to defer payment of special assessments and/or real property taxes on his residence up to eighty percent of the amount of his equity value in said property if the following conditions are met:

(1) The special assessments and/or property taxes must have been imposed upon a residence: (a) Which has been regularly occupied by the person claiming the deferral during the two calendar years preceding the year in which the deferral claim is filed; or (b) which was occupied by the person claiming the deferral as a principal place of residence as of January 1st of the year in which the claim is filed and the person claiming the deferral must also have

been a resident of the state of Washington for the last three calendar years preceding the year in which the claim is filed.

(2) The claimant must have owned, at the time of filing, the residence on which the special assessment and/or real property taxes have been imposed. For purposes of this subsection, a residence owned by a marital community shall be deemed to be owned by each spouse.

(3) The claimant must have been sixty-two years of age or older on January 1st of the year in which the deferral claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability.

(4) The claimant and/or his or her spouse must not have received income of the type referred to in RCW 84.36.381, as now or hereafter amended, during the preceding calendar year which exceeds the following amounts:

(a) For claims filed in 1976—eight thousand dollars;

(b) For claims filed in subsequent years, an amount equal to the previous year's income limit adjusted by the percentage change in the consumer price index for the twelve month period ending September 31st of the previous year.

(5) The claimant must have and keep in force fire and casualty insurance in sufficient amount to protect the interest of the state in the claimant's equity value.

(6) In the case of special assessment deferral, claimant must have opted for payment of such special assessments on the installment method if such method was available.

**NEW SECTION. Sec. 30.** (1) Each claimant electing to defer payment of special assessments and/or real property tax obligations under this chapter shall file with the county assessor, on forms prescribed by the department and supplied by the assessor, a written declaration thereof. The declaration to defer special assessments and/or real property taxes for any year shall be filed prior to July 1st each year for deferral for the following year.

(2) The declaration shall designate the property to which the deferral applies, and shall include a statement setting forth (a) a list of all members of the claimant's household, (b) the claimant's equity value in his residence, (c) facts establishing the eligibility for the deferral under the provisions of this chapter, and (d) any other relevant information required by the rules of the department. Each copy shall be signed by the claimant subject to the penalties as provided in chapter 9.72 RCW for the false swearing. The first declaration to defer filed in a county shall include proof of the claimant's age acceptable to the assessor.

(3) The county assessor shall determine if each claimant shall be granted a deferral for each year but the claimant shall have the right to appeal this determination to the county board of equalization whose decision shall be final as to the deferral of that year.

**NEW SECTION. Sec. 31.** (1)(a) Declarations to defer property taxes for all years following the first year may be made by filing with the county assessor on or before July 1st a renewal form in duplicate, prescribed by the department of revenue and supplied by the county assessor, which affirms the continued eligibility of the claimant.

(b) In January of each year, the county assessor shall send to each claimant who has been granted deferral of ad valorem taxes for the previous year renewal forms and notice to renew.

(2) Declarations to defer special assessments shall be made by filing with the assessor on or before July 1st of any year on a form to be prescribed by the department of revenue and supplied by the county assessor. Upon approval, the full amount of special assessments upon such claimant's residence shall be deferred for the following year but not to exceed an amount equal to eighty percent of the claimant's equity value in said property.

**NEW SECTION. Sec. 32.** If the claimant is unable to make his own declaration of deferral, it may be made by a duly authorized agent or by a guardian or other person charged with care of the person or property of such claimant.

**NEW SECTION. Sec. 33.** If the claimant declaring his intention to defer special assessments or real property tax obligations under this chapter ceases to reside permanently on the property for which the declaration to defer is made between the date of filing the declaration and December 15th of that year, the deferral otherwise allowable under this chapter shall not be allowed on such tax roll. However, this section shall not apply where the claimant dies, leaving a spouse surviving, who is also eligible for deferral of special assessment and/or property taxes.

**NEW SECTION. Sec. 34.** A person's right to defer special assessments and/or property tax obligations on his residence shall not be reduced by contract or agreement, from the effective date of this chapter onward.

**NEW SECTION.** Sec. 35. If any residence is under mortgage or purchase contract requiring accumulation of reserves out of which the holder of the mortgage or contract is required to pay real estate taxes, said holder shall co-sign the declaration of deferral either before a notary public or the county assessor or his deputy in the county where the real property is located.

**NEW SECTION.** Sec. 36. Whenever a person's special assessment and/or real property tax obligation is deferred under the provisions of this chapter, it shall become a lien in favor of the state upon his property and shall have priority as provided in chapters 35.50 and 84.60 RCW: PROVIDED, That the interest of a mortgage or purchase contract holder who is required to co-sign a declaration of deferral under section 35 of this act, shall have priority to said deferred lien. This lien may accumulate up to eighty percent of the amount of the claimant's equity value in said property and shall bear interest each year at the rates prescribed for delinquent taxes in RCW 84.56.020 as now or hereafter amended per year until said obligation becomes due and payable under section 39 of this act.

**NEW SECTION.** Sec. 37. The county assessor shall:

(1) Transmit one copy of each declaration to defer to the department of revenue. The department may audit any declaration and shall, not later than August 31st, notify the assessor of any claim where any factor appears to disqualify the claimant for the deferral sought.

(2) Transmit one copy of each declaration to defer a special assessment to the local improvement district which imposed such assessment.

(3) After October 15th, compute the dollar tax rate for the county as if any deferrals provided by this chapter did not exist.

(4) On or before December 15th, notify the department of revenue and the county treasurer of the amount of real property taxes deferred for that year and notify the department of revenue and the respective treasurers of municipal corporations of the amount of special assessments deferred for each local improvement district within such unit.

**NEW SECTION.** Sec. 38. Upon receipt of the notification from the county assessor of the amount of deferred special assessments and/or real property taxes the department shall certify to the state treasurer the amount due the respective municipal corporations prior to the following February 15th and the state treasurer shall pay to the treasurers of such municipal corporations said amounts, equivalent to the amount of special assessments and/or real property taxes deferred, to be distributed to the local improvement or taxing districts which levied the taxes so deferred.

**NEW SECTION.** Sec. 39. Special assessments and/or real property tax obligations deferred under this chapter shall become payable together with interest as provided in section 36 of this amendatory act:

(1) Upon the sale of property which has a deferred special assessment and/or real property tax lien upon it.

(2) Upon the death of the claimant with an outstanding deferred special assessment and/or real property tax lien except a surviving spouse who is qualified under this chapter may elect to incur the special assessment and/or real property tax lien which shall then be payable by that spouse as provided in this section.

(3) Upon the condemnation of property with a deferred special assessment and/or real property tax lien upon it by a public or private body exercising eminent domain power, except as otherwise provided in RCW 84.60.070.

(4) At such time as the claimant ceases to reside permanently in the residence upon which the deferral has been granted.

(5) Upon the failure of any condition set forth in section 29(5) of this amendatory act.

**NEW SECTION.** Sec. 40. (1) The county treasurer shall collect all the amounts deferred together with interest under this chapter, in the manner provided for in chapter 84.56 RCW. For purposes of collection of deferred taxes, the provisions of chapters 84.56, 84.60, and 84.64 RCW shall be applicable.

(2) When any deferred special assessment and/or real property taxes together with interest are collected the moneys shall be credited to a special account in the county treasury. The county treasurer shall remit the amount of deferred special assessment and/or real property taxes together with interest to the state treasurer, with a remittance advice to the department within thirty days from the date of collection.

(3) The state treasurer shall deposit the deferred taxes in the state general fund.

**NEW SECTION.** Sec. 41. (1) A surviving spouse of the claimant may elect to continue the property in its deferred tax status if the property is the residence of the spouse of the claimant and the spouse meets the requirements of this chapter.

(2) The election under this section to continue the property in its deferred status by the spouse of the claimant shall be filed in the same manner as an original claim for deferral is filed under this chapter, not later than ninety days from the date of the claimant's death. Thereupon, the property with respect to which the deferral of special assessments and/or real property taxes is claimed shall continue to be treated as deferred property. When the property has been continued in its deferred status by the filing of the spouse of the claimant of an election under this section, the spouse of the claimant may continue the property in its deferred status in subsequent years by filing a claim under this chapter so long as the spouse meets the qualifications set out in this section.

**NEW SECTION.** Sec. 42. Any person may at any time pay a part or all of the deferred taxes but such payment shall not affect the deferred tax status of the property.

**NEW SECTION.** Sec. 43. Nothing in this chapter is intended to or shall be construed to prevent the collection, by foreclosure, of personal property taxes which become a lien against tax-deferred property.

**NEW SECTION.** Sec. 44. The department of revenue of the state of Washington shall devise the forms and make rules and regulations consistent with chapter 34.04 RCW and the provisions of this chapter as shall be necessary or desirable to permit its effective administration.

**NEW SECTION.** Sec. 45. There is added to Title 84 RCW a new chapter to consist of sections 27 through 44 of this amendatory act.

**NEW SECTION.** Sec. 46. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 47. This 1975 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing institutions, and shall take effect immediately: **PROVIDED**, That sections 9 and 27 through 44 of this amendatory act shall be effective on and after January 1, 1976: **PROVIDED FURTHER**, That sections 2, 3, 4, 5 and 25 shall be effective on and after January 1, 1978."

Signed by Senators Odegaard, Lewis (Harry), McDermott; Representatives Sommers, Erickson, Newhouse.

#### MOTION

On motion of Mr. Moon, the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 2736 was adopted.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Bagnariol presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 2736 as amended by Free Conference Committee.

Representatives Sommers, Pardini and Eikenberry spoke in favor of the bill, and Mr. Conner spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2736 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 61; nays, 13; not voting, 24.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bauer, Becker, Berentson, Blair, Bond, Brown, Ceccarelli, Chandler, Charette, Charnley, Chatalas, Cochrane, Curtis, Deccio, Douthwaite, Dunlap, Ehlers, Eikenberry, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gaspard, Gilleland, Greengo, Haley, Hansey, Hawkins, Hendricks, Hurley G. S., Kilbury, King, Laughlin, Leckenby, Lee, Lysen, Matthews, McKibbin, Nelson, Newhouse, North, O'Brien, Patterson, Peterson, Polk, Savage, Sherman, Shinpoeh, Smith E. P., Smith R., Sommers, Thompson, Valle, Whiteside, Wojahn, Zimmerman.

Voting nay: Representatives Bausch, Bender, Boldt, Clemente, Conner, Hansen, Martinis, Moon, Parker, Schumaker, Tilly, Warnke, Williams.

Not voting: Representatives Adams, Fortson, Gallagher, Hanna, Haussler, Hayner, Hurley M., Jastad, Jueling, Kalich, Knowles, Kuehnle, Luders, Maxie, May, McCormick, Moreau, Pardini, Paris, Perry, Randall, Seeberger, Wilson, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 2736 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Bagnariol presiding) declared the House to be at ease.  
The Speaker called the House to order.

## MESSAGES FROM THE SENATE

June 8, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2159, notwithstanding the Governor's veto, by the following vote: Yeas, 30; nays, 12, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has passed SUBSTITUTE SENATE BILL NO. 2519, notwithstanding the Governor's Partial Veto, by a vote of Yeas, 35; nays, 11; and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 8, 1975

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 2937, notwithstanding the Governor's veto, by the following vote: Yeas, 34; nays, 9; and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

June 9, 1975

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 40,  
SUBSTITUTE HOUSE BILL NO. 413,  
SECOND SUBSTITUTE HOUSE BILL NO. 827,  
SENATE BILL NO. 2046,  
SENATE BILL NO. 2346,  
SUBSTITUTE SENATE BILL NO. 2736,  
SENATE CONCURRENT RESOLUTION NO. 117,  
SENATE CONCURRENT RESOLUTION NO. 119,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 9, 1975

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 2736, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

## RESOLUTION

HOUSE RESOLUTION NO. 75-56, by Representative Charette:

BE IT RESOLVED, By the House of Representatives, That a committee consisting of three members of the House, to be named by the Speaker of the House, be appointed to notify the Senate that the First Extraordinary Session of the Forty-fourth Legislature is ready to adjourn sine die.

On motion of Mr. Charette, the resolution was adopted.

## APPOINTMENT OF COMMITTEE

Under provisions of House Resolution No. 75-56, the Speaker appointed Representatives Becker, Cochrane and Lee to notify the Senate that the House of Representatives was about to adjourn sine die.

## MESSAGE FROM THE SENATE

June 9, 1975

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 118,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 118, by Senators Bailey, Mardesich, Matson and Lewis (Harry):

Informing governor legislature is ready to adjourn sine die.

On motion of Mr. Thompson, the rules were suspended, Senate Concurrent Resolution No. 118 was advanced to second reading and read the second time in full.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 118 was placed on final passage and adopted.

#### REPORT OF SPECIAL COMMITTEE

A committee from the Senate appeared before the bar of the House and notified the House that the Senate was about to adjourn sine die.

The message was received, and the committee retired.

#### APPOINTMENT OF COMMITTEE

Under the provisions of Senate Concurrent Resolution No. 118, the Speaker appointed Representatives Charette, Chatalas and Newhouse to notify the Governor that the House was about to adjourn sine die.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 2046,  
SENATE BILL NO. 2346,  
SUBSTITUTE SENATE BILL NO. 2736,  
SENATE CONCURRENT RESOLUTION NO. 117,  
SENATE CONCURRENT RESOLUTION NO. 119.

#### MESSAGES FROM THE SENATE

June 9, 1975

Mr. Speaker:

Under the provisions of Senate Concurrent Resolution No. 117, the Senate herewith returns the following House Bills:

ENGROSSED HOUSE BILL NO. 9,  
ENGROSSED HOUSE BILL NO. 13,  
ENGROSSED HOUSE BILL NO. 23,  
ENGROSSED SUB. HOUSE BILL NO. 37,  
HOUSE BILL NO. 38,  
ENGROSSED SUB. HOUSE BILL NO. 44,  
SUBSTITUTE HOUSE BILL NO. 58,  
ENGROSSED SUB. HOUSE BILL NO. 71,  
HOUSE BILL NO. 72,  
SUBSTITUTE HOUSE BILL NO. 75,  
ENGROSSED HOUSE BILL NO. 76,  
SUBSTITUTE HOUSE BILL NO. 77,  
HOUSE BILL NO. 89,  
SUBSTITUTE HOUSE BILL NO. 91,  
SUBSTITUTE HOUSE BILL NO. 93,  
HOUSE BILL NO. 114,  
ENGROSSED SUB. HOUSE BILL NO. 118,  
HOUSE BILL NO. 133,  
ENGROSSED HOUSE BILL NO. 140,  
ENGROSSED HOUSE BILL NO. 156,  
ENGROSSED HOUSE BILL NO. 187,  
HOUSE BILL NO. 190,  
SUBSTITUTE HOUSE BILL NO. 200,

SUBSTITUTE HOUSE BILL NO. 204,  
ENGROSSED HOUSE BILL NO. 209,  
ENGROSSED SUB. HOUSE BILL NO. 217,  
ENGROSSED HOUSE BILL NO. 231,  
ENGROSSED HOUSE BILL NO. 245,  
SUBSTITUTE HOUSE BILL NO. 247,  
ENGROSSED HOUSE BILL NO. 251,  
ENGROSSED HOUSE BILL NO. 261,  
HOUSE BILL NO. 264,  
HOUSE BILL NO. 266,  
ENGROSSED HOUSE BILL NO. 268,  
ENGROSSED HOUSE BILL NO. 271,  
ENGROSSED HOUSE BILL NO. 281,  
HOUSE BILL NO. 284,  
ENGROSSED HOUSE BILL NO. 285,  
SUBSTITUTE HOUSE BILL NO. 296,  
ENGROSSED HOUSE BILL NO. 304,  
SUBSTITUTE HOUSE BILL NO. 309,  
SUBSTITUTE HOUSE BILL NO. 325,  
ENGROSSED HOUSE BILL NO. 330,  
ENGROSSED HOUSE BILL NO. 331,  
SUBSTITUTE HOUSE BILL NO. 342,  
SUBSTITUTE HOUSE BILL NO. 345,  
ENGROSSED HOUSE BILL NO. 346,  
HOUSE BILL NO. 349,  
ENGROSSED SUB. HOUSE BILL NO. 351,  
ENGROSSED HOUSE BILL NO. 352,  
SUBSTITUTE HOUSE BILL NO. 360,  
HOUSE BILL NO. 393,  
HOUSE BILL NO. 397,  
ENGROSSED SUB. HOUSE BILL NO. 401,  
ENGROSSED HOUSE BILL NO. 405,  
ENGROSSED HOUSE BILL NO. 430,  
ENGROSSED HOUSE BILL NO. 441,  
ENGROSSED SUB. HOUSE BILL NO. 462,  
ENGROSSED SUB. HOUSE BILL NO. 483,  
ENGROSSED HOUSE BILL NO. 490,  
SUBSTITUTE HOUSE BILL NO. 494,  
ENGROSSED SUB. HOUSE BILL NO. 496,  
ENGROSSED HOUSE BILL NO. 519,  
HOUSE BILL NO. 521,  
HOUSE BILL NO. 523,  
ENGROSSED HOUSE BILL NO. 526,  
SUBSTITUTE HOUSE BILL NO. 552,  
HOUSE BILL NO. 563,  
ENGROSSED HOUSE BILL NO. 575,  
SUBSTITUTE HOUSE BILL NO. 593,  
SUBSTITUTE HOUSE BILL NO. 594,  
ENGROSSED HOUSE BILL NO. 623,  
ENGROSSED HOUSE BILL NO. 624,  
SUBSTITUTE HOUSE BILL NO. 631,  
SUBSTITUTE HOUSE BILL NO. 656,  
ENGROSSED SUB. HOUSE BILL NO. 659,  
HOUSE BILL NO. 683,  
ENGROSSED HOUSE BILL NO. 687,  
ENGROSSED HOUSE BILL NO. 778,  
SUBSTITUTE HOUSE BILL NO. 780,  
HOUSE BILL NO. 781,  
ENGROSSED HOUSE BILL NO. 802,  
ENGROSSED SUB. HOUSE BILL NO. 821,  
ENGROSSED HOUSE BILL NO. 840,



ENGROSSED SUB. HOUSE BILL NO. 845,  
 ENGROSSED SUB. HOUSE BILL NO. 862,  
 ENGROSSED SUB. HOUSE BILL NO. 863,  
 ENGROSSED SUB. HOUSE BILL NO. 864,  
 ENGROSSED SUB. HOUSE BILL NO. 865,  
 ENGROSSED SUB. HOUSE BILL NO. 880,  
     SUBSTITUTE HOUSE BILL NO. 890,  
     SUBSTITUTE HOUSE BILL NO. 915,  
     SUBSTITUTE HOUSE BILL NO. 970,  
     ENGROSSED HOUSE BILL NO. 971,  
     SUBSTITUTE HOUSE BILL NO. 1011,  
     ENGROSSED HOUSE BILL NO. 1037,  
     SUBSTITUTE HOUSE BILL NO. 1100,  
     ENGROSSED HOUSE BILL NO. 1119,  
     ENGROSSED HOUSE BILL NO. 1123,  
     ENGROSSED HOUSE BILL NO. 1148,  
 ENGROSSED SUB. HOUSE BILL NO. 1162,  
     HOUSE JOINT MEMORIAL NO. 2,  
     HOUSE JOINT MEMORIAL NO. 6,  
     HOUSE JOINT MEMORIAL NO. 9,  
     HOUSE JOINT MEMORIAL NO. 13,  
     HOUSE JOINT MEMORIAL NO. 19,  
 ENGROSSED SUB. HOUSE JOINT MEMORIAL NO. 26,  
     HOUSE JOINT RESOLUTION NO. 5,  
 ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 7,  
     HOUSE CONCURRENT RESOLUTION NO. 22,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

June 9, 1975

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 118,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE CONCURRENT RESOLUTION NO. 118.

#### REPORT OF SPECIAL COMMITTEE

The House members of the committee appointed to notify the Senate that the House was about to adjourn sine die, appeared before the bar of the House and stated they had accomplished their mission.

The report was received and the committee retired.

#### MOTION

On motion of Mr. Charette, reading of the journal of the Eighty-eighth Day of the First Extraordinary Session of the Forty-fourth Legislature was dispensed with and it was ordered to stand approved.

#### REPORT OF SPECIAL COMMITTEE

The House members of the committee appointed to notify the Governor that the Legislature was about to adjourn sine die, appeared before the bar of the House and reported that they had notified the Governor.

The report was received and the committee retired.

MOTION

On motion of Mr. Charette, the House of Representatives of the First Extraordinary Session of the Forty-fourth Legislature adjourned sine die.

LEONÁRD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

# JOURNAL OF THE HOUSE

## HOUSE LEGISLATIVE LEADERS – 1975

Speaker .....	Leonard A. Sawyer
Speaker Pro Tempore .....	John L. O'Brien
Majority Floor Leader .....	Robert L. Charette
Majority Whip .....	Paul H. Conner
Majority Caucus Chairman .....	William "Bill" Chatalas
Assistant Majority Floor Leader .....	Alan Thompson
Assistant Majority Whip .....	Marcus Gaspard
Assistant Majority Whip .....	Rick Bender
Majority Caucus Secretary .....	Lorraine Wojahn
Minority Leader .....	Irving Newhouse
Minority Caucus Chairman .....	Bob Curtis
Minority Whip .....	A. J. "Bud" Pardini
Assistant Minority Leader .....	Kenneth O. Eikenberry
Assistant Minority Leader .....	Duane Berentson
Minority Organization Leader .....	William Polk
Minority Caucus Vice Chairman .....	Don Hansey
Assistant Minority Whip .....	Jeannette Hayner
Minority Caucus Coordinator .....	Kemper Freeman, Jr.

APPENDIX  
HOUSE ROSTER - 1975  
FORTY-FOURTH SESSION

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Adams, A. A. ....	601 No. Yakima Tacoma 98403	74	Washington	Retired Chiropractor	27 D		Pierce, pt. ....	1969 thru 1974 Ex.
Amen, Otto .....	Rt. 1, Box 45 Ritzville 99169	62	Washington	Farmer, Pharmacist	9 R		Adams, Asotin, Garfield, Columbia, pt. Grant, pt Whitman, pt. ....	1967 thru 1974 Ex.
Bagnariol, John .....	2008 S.E. 17th Ct. Renton 98055	42	Washington	Insurance	11 D		King, pt .....	1967 thru 1974 Ex.
Barnes, Richard O. ....	18118 6th Ave. SW Seattle 98166	53	Iowa	Systems Analyst	33 R		King, pt .....	1974 Ex.
Bauer, Albert .....	13611 N.E. 20th Vancouver 98664	46	Montana	Teacher	49 D		Clark, pt. ....	1971 thru 1974 Ex.
Bausch, Del. ....	Rt. 3, Box 845 Olympia 98506	39	Washington	Safety Inspector	22 D		Thurston, pt. ....	1973 thru 1974 ex.
Becker, Mary Kay .....	P.O. Box 81 Bellingham 98225	28	Washington	Writer	42 D		Whatcom, pt .....	None
Bender, Rick S .....	3511 N.E. 158th Pl. Seattle 98155	25	Alaska	Student	1 D		King, pt Snohomish, pt .....	1973 thru 1974 Ex.
Berentson, Duane L .....	P. O. Box 426 Burlington 98233	46	Washington	Broker, Dealer in Securities	40 R		San Juan Skagit Whatcom, pt .....	1963 thru 1974 Ex.
Blair, Scott .....	8712 25th N.E. Seattle 98115	44	Washington	Mechanical Engineer	46 R		King, pt .....	1971 thru 1974 Ex.

Boldt, Jim .....	2401 W. Canal Dr. Kennewick 99336	24	Washington	Real Estate	8 D	Benton Yakima, pt .....	None
Bond, R. M. ....	N. 411 Havana St. Spokane 99202	50	Washington	Gas Company President	6 R	Spokane, pt .....	None
Brown, Arthur C. ....	6626 NE 182nd Seattle 98155	53	Georgia	Systems Analyst	1 R	King, pt. Snohomish, pt .....	1969 thru 1974 Ex.
Ceccarelli, Dave .....	1330 Harbor Ave. S.W. Seattle 98116	41	Washington	Real Estate	34 D	King, pt .....	1967 thru 1974 Ex.
Chandler, Rod .....	13003 N.E. 143rd Kirkland 98033	32	Oregon	Banker	45 R	King, pt .....	None
Charette, Robert L. ....	P. O. Box 63 Aberdeen 98520	51	Washington	Attorney	19 D	Pacific, Grays Harbor, pt .....	Senate 1963 thru 1965 Ex. House-1967 thru 1974 Ex.
Charnley, Donn .....	19344 11th Ave. Seattle 98177	46	Michigan	Professor	44 D	King, pt .....	1971 thru 1974 Ex.
Chatalas, Wm. "Bill" .....	4803 42nd So. Seattle 98118	67	Turkey	Real Estate Broker & Business Consultant	35 D	King, pt .....	1961 thru 1974 Ex.
Clemente, Art .....	4422 228th S.E. Bothell 98011	47	Washington	King County Labor Council	39 D	King, pt. Snohomish, pt .....	1973 thru 1974 Ex.
Cochrane, Pat .....	1636 Howell Ave. Richland 99352		Montana	Bookstore Owner	8 D	Benton Yakima, pt .....	None

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Conner, Paul H.	Rt. 4, Box 355 Sequim 98382	49	Washington	Real Estate Logger	24	D	Clallam, Mason Jefferson Thurston,pt.	1959 thru 1974 Ex.
Curtis, Robert "Bob"	P. O. Box 0188 East Wenatchee	41	Washington	Travel Agent	12	R	Chelan, Douglas Grant, pt. Okanogan,pt.	1969 thru 1974 Ex.
Deccio, Alex	P.O. Box 1343 Yakima 98901	47	Washington	Insurance Broker	15	R	Yakima, pt	None
Douthwaite, Jeff	5518 31st N.E. Seattle 98105	45	Canada	Professor	43	D	King, pt	1971 thru 1974 Ex.
Dunlap, Ron	3129 109th S.E. Bellevue 98004	37	Indiana	Engineer/ Economist	41	R	King, pt	None
Ehlers, Wayne	14301 S. Yakima Parkland 98444	36	Washington	Educator	2	D	Pierce, pt. Thurston, pt	1973 thru 1974 Ex.
Eikenberry, Kenneth O	1644 32nd West Seattle 98199	42	Washington	Attorney	36	R	King, pt	1971 thru 1974 Ex.
Eng, John	P.O. Box 18088 Seattle 98118	32	Hong Kong	Accountant	37	D	King, pt	1973 thru 1974 Ex.
Erickson, Phyllis K.	P.O. Box 44487 Parkland 98444	51	Texas	Homemaker	2	D	Pierce, pt Thurston, pt	1973 thru 1974 Ex.
Fischer, John M	23424 88th W. Edmonds 98020	51	Washington	Pharmacist	21	D	Snohomish, pt	None
Flanagan, S.E."Sid"	Rt. 1, Box 205 Quincy 98848	65	Washington	Farmer, Cattleman	13	R	Kittitas Grant, pt Yakima,pt.	1961 thru 1974 Ex.

Fortson, Eleanor A .....	4008 SW Camano Dr. Camano Island	67	Washington	Homemaker	10 D	Island Snohomish, pt .....	1973 thru 1974 Ex.
Freeman, Jr. Kemper .....	P.O. Box 1012 Bellevue 98009	33	Washington	Shopping Center Leasing	48 R	King, pt .....	1973 thru 1974 Ex.
Gaines, Robert E .....	336 Park Ave. Auburn 98002	51	Montana	Mgr-Auburn Chamber/Comm.	30 D	King, pt .....	1973 thru 1974 Ex.
Gallagher, P.J. "Jim" .....	125 S. 72nd Tacoma 98408	59	Washington	Public Relations	29 D	Pierce, pt.....	1961 thru 1974 Ex.
Gaspard, Marc .....	1313 25th N.E. Puyallup 98371	26	Washington	Student	25 D	King, pt Pierce, pt.....	1973 thru 1974 Ex.
Gilleland, James E .....	3234 Hunts Pt. Rd. Bellevue 98004	57	Washington	Owner/Pres. Oil Company	48 R	King, pt .....	1971 thru 1974 Ex.
Greengo, Irv .....	3203 N.E. 88th Seattle 98115	49	Iowa	Boeing Engineer	46 R	King, pt .....	None
Haley, Ted .....	5800 100th S.W. Tacoma 98499	54	Washington	Physician	28 R	Pierce, pt.....	None
Hanna, Ron .....	P.O. Box 5313 Tacoma 98405	37	Washington	Dir. Probation Department	26 D	Kitsap, pt Pierce, pt.....	None
Hansen, Frank "Tub" .....	Star Rt. Moses Lake 98837	60	Washington	Rancher	13 D	Kittitas, Grant, pt Yakima, pt .....	1973 thru 1974 Ex.
Hansey, Donald G .....	P.O. Box 1058 Bellingham 98225	45	Washington	Poultry, Hatcheryman	40 R	Whatcom .....	1971 thru 1974 Ex.
						Ferry, Lincoln Pend Oreille	

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Haussler, Joe D	Box 949 Omak 98841	72	Texas	Orchardist	7	D	Stevens Okanogan, pt Spokane, pt	1963 thru 1974 Ex.
Hawkins, John R	3102 N. Monroe Tacoma 98407	32	Washington	Planner	26	D	Kitsap, pt Pierce, pt	1974 Ex.
Hayner, Jeannette C	830 E. Chestnut WallaWalla 99362	55	Oregon	Homemaker	16	R	Franklin Walla Walla Columbia, pt	1973 thru 1974 Ex.
Hendricks, John L	1923 Water St. Olympia 98501	61	Washington	Pharmacist	22	R	Thurston, pt	1973 thru 1974 Ex.
Hurley, George S	10709 1st Ave. N.W. Seattle 98177	67	Washington	Retired	44	D	King, pt	1943 thru 1945 Ex.
Hurley, Margaret	730 E. Boone Ave. Spokane 99202		Minnesota	Educator	3	D	Spokane, pt	1961 thru 1974 Ex.
Jastad, Elmer	Box 67 Morton 98356	68	Washington	Pharmacist	20	D	Lewis, Wahkiakum Cowlitz, pt Pacific, pt Thurston, pt	1965 thru 1974 Ex.
Juelling, Helmut L	5212 S. Tacoma Way Tacoma 98466	61	Nebraska	Owner/White Hand Linen Supply	28	R	Pierce, pt	1961 thru 1974 Ex.
Kalich, Hugh	2224 18th Ave. Chehalis 98532	53	Washington	Real Estate	20	D	Lewis, Wahkiakum Cowlitz, pt Pacific, pt Thurston, pt	1965 thru 70 Ex. 1973 thru 1974 Ex.



Kilbury, Charles D .....	Box 2482 Pasco 99302	55	Washington	Insurance Broker	16 D	Franklin Walla Walla Columbia, pt .....	1971 thru 1974 Ex.
King, Richard A .....	309 77th Pl. SW Everett 98201	40	Washington	College Teacher	38 D	Snohomish, pt .....	1965 thru 1974 Ex.
Knowles, Walt O .....	W. 911 Sprague Spokane 99204	58	Washington	Attorney	4 D	Spokane, pt Whitman, pt .....	1971 thru 1974 Ex.
Kuehnle, James P .....	S. 1122 Skyline Pl. Spokane 99206	50	Iowa	Real Estate	4 R	Spokane, pt Whitman, pt .....	1969 thru 1974 Ex.
Laughlin, Eugene L .....	P.O. Box 534 Camas 98607	36	Illinois	Teacher	17 D	Klickitat Skamania Clark, pt .....	1973 thru 1974 Ex.
Leckenby, Bill .....	727 Washington Bldg. Seattle 98101	64	Washington	Chairman Leckenby Co.	34 R	King, pt .....	1967 thru 1970 Ex. 1973 thru 1974 Ex.
Lee, Eleanor .....	P.O. Box 66274 Burien 98166	43	Illinois	Business Manager	33 R	King, pt .....	None
Luders, Edward T .....	N. 5620 Moore Spokane 99208	46	Washington	Teacher	5 D	Spokane, pt .....	1971 thru 1974 Ex.
Lysen, King .....	12844 Shorecrest Dr. S.W. Seattle 98146	32	Minnesota	Real Estate	31 D	King, pt .....	1971 thru 1974 Ex.
Martinis, John .....	1917 Broadway Everett 98201	44	Washington	Retail Merchant	38 D	Snohomish, pt .....	1969 thru 1974 Ex.
Matthews, Gary Lee .....	14157 123rd Ave. N.E. Kirkland 98033	30	Washington	Health Care Administrator	45 R	King, pt .....	1973 thru 1974 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Politi- tics	County	Previous Sessions served
Maxie, Peggy Joan	3302 E. Pine Seattle 98122	38	Texas	Central Area Council on Alcoholism	37 D	King, pt		1971 thru 1974 Ex.
May, William J.S.	W. 3231 Boone Ave. Spokane 99201	72	England	Retired	3 D	Spokane, pt		1961 thru 1974 Ex.
McCormick, Geraldine	1829 Northridge Ct. Spokane 99208		Washington	Homemaker	5 D	Spokane, pt		1969 thru 1974 Ex.
McKibbin, John S.	11205 N.E. 10th Ave. Vancouver 98665	27	California	Teacher	49 D	Clark, pt		None
Moon, Charles	Rt. 2, Box 427A Snohomish 98290	51	Wyoming	Veterinarian	39 D	King, pt Snohomish, pt		1963 thru 1974 Ex.
Moreau, Art	2101 Erie Bellingham	37	Washington	Georgia Pacific	42 D	Whatcom, pt		None
Nelson, Gary A	18423 High St. Edmonds 98020	38	Washington	Engineer Supr. Technical Ed.	21 R	Snohomish, pt		1973 thru 1974 Ex.
Newhouse, Irving	Rt. 1, Box 130 Mabton 98935	54	Washington	Diversified Ranching	15 R	Yakima, pt		1965 thru 1974 Ex.
North, Frances	Box 441 North Bend 98045	55	Washington	Homemaker	47 D	King, pt		1973 thru 1974 Ex.
O'Brien, John L.	1305 Joseph Vance Bldg. Seattle 98101	63	Washington	CPA	35 D	King, pt		1941 thru 1945 1949 thru 1974 Ex.
Pardini, A. J "Bud"	E. 1625 20th Spokane 99203	42	Pennsylvania	Bank Executive	6 R	Spokane, pt		1969 thru 1974 Ex.
Paris, William	620 Oregon Way Longview 98632	47	Oklahoma	Minister	18 R	Cowlitz, pt Clark, pt		1971 thru 1974 Ex.

Parker, Mike .....	5434 So. I Tacoma 98408	27	Washington	Medical Service Rep.	29 D	Pierce, pt.....	1973 thru 1974 Ex.
Patterson, E.G. "Pat" .....	N.E. 400 Campus Pullman 99163	55	Washington	Director Alumni Relations	9 R	Adams, Asotin, Garfield, Columbia, pt Grant, pt Whitman, pt.....	1973 thru 1974 Ex.
Perry, Robert A .....	1154 N. 92nd St. Seattle 98103	53	New York	Electrical Construction	32 D	King, pt .....	1959 thru 1974 Ex.
Peterson, Warren E .....	1927 25th Ave. E. Seattle 98112	34	Tennessee	Financial Systems Sup.	43 R	King, pt .....	None
Polk, William M .....	7220 92nd Ave. SE Mercer Island	39	Texas	Architect	41 R	King, pt .....	1971 thru 1974 Ex.
Randall, Robert W .....	2528 Wheaton Way Bremerton 98310	53	Illinois	Optometrist	23 D	Kitsap, pt .....	1969 thru 1974 Ex.
Savage, Charles R .....	2011 King St. Shelton 98584	68	Wisconsin	Logging	24 D	Clallam, Mason Jefferson Thurston, pt.....	1939 thru 1944 Ex. 1951 thru 1955 Ex. 1963 thru 1965 Ex. 1969 thru 1974 Ex.
Sawyer, Leonard A .....	3205 W. Lake Tapps Dr. Sumner 98390	49	Washington	Attorney	25 D	King, pt Pierce, pt.....	1955 thru 1974 Ex.
Schumaker, Wm. "Bill" .....	208 W. 5th Colville 99114	59	Washington	Sporting Goods	7 R	Ferry, Lincoln Pend Oreille Stevens Okanogan, pt Spokane, pt .....	1969 thru 1974 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions served
Seeberger, Ed	2506 W. Yakima Ave. Yakima 98902	37	No. Dakota	Attorney	14 D		Yakima, pt	None
Sherman, Marion Kyle	24629 S.E. 200th Maple Valley	49	Washington	Writer	47 D		King, pt	None
Shinpoch, A.N. "Bud"	361 Maple Ave. N.W. Renton 98055	50	Oklahoma	Industrial Engineer	11 D		King, pt	1970 Ex. thru 1974 Ex.
Smith, Edward P	511 2nd Ave. Aberdeen 98520	56	Washington	Education Consultant	19 D		Grays Harbor Pacific, pt	None
Smith, Rick	P.O. Box 68 Silverdale 98383	33	Oregon	Attorney	23 D		Kitsap, pt	1973 thru 1974 Ex.
Sommers, Helen	2516 14th W. Seattle 98119	42	New Jersey	Economist	36 D		King, pt	1973 thru 1974 Ex.
Thompson, Alan	112 Pleasant Hill Lane Kelso 98626	47	Iowa	Publisher	18 D		Cowlitz, pt Clark, pt	1965 thru 1974 Ex.
Tilly, Earl F	P.O. Box 1845 Wenatchee 98801	40	Oregon	Mgr/Tilly Equipment	12 R		Chelan, Douglas Grant, pt Okanogan, pt	1973 thru 1974 Ex.
Valle, Georgette	1434 S.W. 137th Seattle 98166	50	Minnesota	Homemaker	31 D		King, pt	1965 thru 1965 Ex. 1973 thru 1974 Ex.
Warnke, Frank J	29457 51st So. Auburn 98002	41	Montana	Exec. Dir. Public School Emp.	30 D		King, pt	1965 thru 1965 Ex. 1973 thru 1974 Ex.
Whiteside, Jim	3612 Howard Ave. Yakima 98902	50	Washington	Owner, Home Cleaning Bus.	14 R		Yakima, pt	None
Williams, Alvin C	4801 Fremont N. Seattle 98103	44	No. Dakota	Architect	32 D		King, pt	1970 Ex. thru 1974 Ex.

Wilson, Simeon "Sim" .....	P.O. Box 145 Marysville 98270	47	Oregon	Newspaper Publisher	10 R	Island Snohomish, pt .....	1973 through 1974 Ex.
Wojahn, Lorraine .....	3592 E. Kay St. Tacoma 98404	54	Washington	Public Relations	27 D	Pierce, pt .....	1969 through 1974 Ex.
Zimmerman, Harold S .....	1432 N.E. 6th Ave. Camas 98607	51	No. Dakota	Newspaper Ed.- Publisher	17 R	Klickitat Skamania Clark, pt .....	1967 through 1974 Ex.

Name of Officer	Title	Residence	County	Birthplace	Age	Occupation	Previous Sessions
Foster, Dean R .....	Chief Clerk	Leg. Bldg. Olympia 98504	Thurston	Washington	33	Chief Clerk	1973 thru 1974 Ex.
Wilson, Donald R .....	Assistant Chief Clerk	Rt. 3, Box 271 Olympia 98501	Thurston	Washington	53	Locomotive Engineer	Senate 1959-70 House 1970-74 Ex.
Young, Ross .....	Sergeant at Arms	620 O'Farrell Olympia 98501	Thurston	Washington	45	Retired U.S.A.F.	None

# JOURNAL OF THE HOUSE

## STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES, 1975

LEONARD A. SAWYER, Speaker  
DEAN R. FOSTER, Chief Clerk

**AGRICULTURE**-(13): Kilbury, Chairman; Becker, Vice Chairwoman, Amen, Boldt, Deccio, Erickson, Flanagan, Hansen, Hansey, Haussler, Laughlin, Schumaker, Tilly.

**COMMERCE**-(12): Warnke, Chairman; Jastad, Vice Chairman; Ceccarelli, Curtis, Dunlap, Gaines, Greengo, Juelling, Kuehnle, O'Brien, Williams, Wojahn.

**CONSTITUTION AND ELECTIONS**-(11): King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Chandler, Erickson, Hawkins, Knowles, Lysen, Sherman, Tilly.

**ECOLOGY**-(14): Luders, Chairman; Valle, Vice Chairwoman; Bauer, Becker, Chandler, Charnley, Deccio, Douthwaite, Flanagan, Gallagher, Hansen, Hawkins, Wilson, Zimmerman.

**EDUCATION**-(18): Bauer, Chairman; Clemente, Vice Chairman; Barnes, Bender, Boldt, Brown, Dunlap, Ehlers, Eng, Fortson, Gaspard, Haley, Hayner, Hendricks, Hurley (George), Valle, Warnke, Whiteside.

**FINANCIAL INSTITUTIONS**-(13): Ceccarelli, Chairman; Fischer, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Leckenby, Lysen, McCormick, Moon, Pardini, Parker, Polk.

**HIGHER EDUCATION**-(10): Maxie, Chairwoman; Moreau, Vice Chairman; Bond, Charnley, Nelson, Patterson, Perry, Peterson, Savage, Wojahn.

**JUDICIARY**-(11): Knowles, Chairman; Seeberger, Subchairman; Smith (Rick), Subchairman; Eikenberry, Gaspard, Hanna, Hayner, Maxie, Newhouse, Patterson, Sherman.

**LABOR**-(11): Savage, Chairman; McKibbin, Vice Chairman; Bausch, Cochrane, Freeman, Gilleland, Haley, King, Matthews, May, Parker.

**LOCAL GOVERNMENT**-(21): Haussler, Chairman; Hanna, Vice Chairman; Douthwaite, Subchairman; Kalich, Subchairman; Laughlin, Subchairman; Adams, Amen, Berentson, Blair, Cochrane, Eng, Fischer, Lee, McCormick, North, Paris, Shipoch, Smith (Edward), Whiteside, Wilson, Zimmerman.

**NATURAL RESOURCES**-(16): Martinis, Chairman; Bausch, Vice Chairman; Bond, Clemente, Conner, Gilleland, Greengo, Hansey, Haussler, Hurley (George), Kalich, Kilbury, Matthews, Moreau, Schumaker, Smith (Rick).

**PARKS AND RECREATION**-(11): Hurley (Margaret), Chairwoman; Gaines, Vice Chairman; Curtis, Freeman, Lee, North, Paris, Peterson, Randall, Seeberger, Smith (Edward).

**RULES**-(17): Sawyer, Chairman; O'Brien, Vice Chairman; Berentson, Charette, Chatalas, Conner, Gallagher, Jastad, Juelling, Kuehnle, May, Moon, Newhouse, Pardini, Thompson, Wojahn, Zimmerman.

**SOCIAL AND HEALTH SERVICES**-(19): Adams, Chairman; Parker, Vice Chairman; Bauer, Becker, Cochrane, Deccio, Eng, Fischer, Fortson, Greengo, Haley, Hanna, Hendricks, Jastad, May, Paris, Peterson, Tilly, Whiteside.

**STATE GOVERNMENT**-(11): Sommers, Chairwoman; Ehlers, Vice Chairman; Bender, Hendricks, Hurley (Margaret), Leckenby, McKibbin, Nelson, O'Brien, Polk, Williams.

**TRANSPORTATION AND UTILITIES**-(29): Perry, Chairman; Charnley, Subchairman; Hansen, Subchairman; McCormick, Subchairwoman; Barnes, Bender, Berentson, Bond, Ceccarelli, Chandler, Clemente, Conner, Douthwaite, Dunlap, Gaines, Gallagher, Gilleland, Hayner, Kalich, Laughlin, Leckenby, Lee, Lysen, Martinis, Patterson, Schumaker, Seeberger, Sherman, Wilson.

**WAYS AND MEANS**-(41): Bagnariol, Chairman.

**APPROPRIATIONS**-(25): Shipoch, Chairman; North, Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Boldt, Charette, Chatalas, Curtis, Ehlers, Flanagan, Freeman, Gaspard, Hansey, Juelling, Luders, Matthews, McKibbin, Polk, Smith (Edward), Smith (Rick), Thompson, Valle, Warnke.

## JOURNAL OF THE HOUSE

REVENUE-(17): Randall, Chairman; Erickson, Vice Chairwoman; Bagnariol, Brown, Eikenberry, Hawkins, Hurley (George), Hurley (Margaret), Kilbury, Kuehnle, Moon, Moreau, Nelson, Newhouse, Pardini, Sommers, Williams.

# JOURNAL OF THE HOUSE

## INDIVIDUAL COMMITTEE ASSIGNMENTS HOUSE OF REPRESENTATIVES, 1975

- ADAMS, A. A.: Local Government; Social and Health Services, Chairman.
- AMEN, OTTO: Agriculture; Local Government; Ways and Means – Appropriations.
- BAGNARIOL, JOHN: Financial Institutions; Ways and Means, Chairman.
- BARNES, RICHARD O.: Constitution and Elections; Education; Transportation and Utilities.
- BAUER, ALBERT: Ecology; Education, Chairman; Social and Health Services.
- BAUSCH, DEL: Labor; Natural Resources, Vice Chairman; Ways and Means – Appropriations.
- BECKER, MARY KAY: Agriculture, Vice Chairwoman; Ecology; Social and Health Services.
- BENDER, RICK S.: Education; State Government; Transportation and Utilities.
- BERENTSON, DUANE: Local Government; Rules; Transportation and Utilities.
- BLAIR, SCOTT: Financial Institutions; Local Government; Ways and Means – Appropriations.
- BOLDT, JIM: Agriculture; Education; Ways and Means – Appropriations.
- BOND, R. M. "DICK": Higher Education; Natural Resources; Transportation and Utilities.
- BROWN, ARTHUR C.: Constitution and Elections; Education; Ways and Means – Revenue.
- CECCARELLI, DAVE: Commerce; Financial Institutions, Chairman; Transportation and Utilities.
- CHANDLER, ROD: Constitution and Elections; Ecology; Transportation and Utilities.
- CHARETTE, ROBERT L.: Rules; Ways and Means – Appropriations.
- CHARNLEY, DONN: Ecology; Higher Education; Transportation and Utilities, Subchairman.
- CHATALAS, WILLIAM: Financial Institutions; Rules; Ways and Means – Appropriations.
- CLEMENTE, ART: Education, Vice Chairman; Natural Resources; Transportation and Utilities.
- COCHRANE, PAT: Labor; Local Government; Social and Health Services.
- CONNER, PAUL H.: Natural Resources; Rules; Transportation and Utilities.
- CURTIS, BOB: Commerce; Parks and Recreation; Ways and Means – Appropriations.
- DECCIO, ALEX A.: Agriculture; Ecology; Social and Health Services.
- DOUTHWAITE, JEFF: Ecology; Local Government, Subchairman; Transportation and Utilities.
- DUNLAP, RON: Commerce; Education; Transportation and Utilities.
- EHLERS, WAYNE: Education; State Government, Vice Chairman; Ways and Means – Appropriations.
- EIKENBERRY, KENNETH: Financial Institutions; Judiciary; Ways and Means – Revenue.
- ENG, JOHN: Education; Local Government; Social and Health Services.
- ERICKSON, PHYLLIS K.: Agriculture; Constitution and Elections; Ways and Means – Revenue, Vice Chairwoman.
- FISCHER, JOHN M.: Financial Institutions, Vice Chairman; Local Government; Social and Health Services.
- FLANAGAN, S. E. "SID": Agriculture; Ecology; Ways and Means – Appropriations.
- FORTSON, ELEANOR A.: Constitution and Elections, Vice Chairwoman; Education; Social and Health Services.
- FREEMAN, JR., KEMPER: Labor; Parks and Recreation; Ways and Means – Appropriations.
- GAINES, ROBERT E.: Commerce; Parks and Recreation, Vice Chairman; Transportation and Utilities.
- GALLAGHER, P. J.: Ecology; Rules; Transportation and Utilities.
- GASPARD, MARCUS S.: Education; Judiciary; Ways and Means – Appropriations.
- GILLELAND, JAMES E.: Labor; Natural Resources; Transportation and Utilities.
- GREENGO, IRV: Commerce; Natural Resources; Social and Health Services.
- HALEY, TED: Education; Labor; Social and Health Services.
- HANNA, RON: Judiciary; Local Government, Vice Chairman; Social and Health Services.
- HANSEN, FRANK: Agriculture; Ecology; Transportation and Utilities, Subchairman.
- HANSEY, DONALD G.: Agriculture; Natural Resources; Ways and Means – Appropriations.
- HAUSSLER, JOE D.: Agriculture; Local Government, Chairman; Natural Resources.



## JOURNAL OF THE HOUSE

- HAWKINS, JOHN R.: Constitution and Elections; Ecology; Ways and Means – Revenue.
- HAYNER, JEANNETTE: Education; Judiciary; Transportation and Utilities.
- HENDRICKS, JOHN L.: Education; Social and Health Services; State Government.
- HURLEY, GEORGE S.: Education; Natural Resources; Ways and Means – Revenue.
- HURLEY, MARGARET: Parks and Recreation, Chairwoman; State Government; Ways and Means – Revenue.
- JASTAD, ELMER: Commerce, Vice Chairman; Rules; Social and Health Services.
- JUELING, HELMUT L.: Commerce; Rules; Ways and Means – Appropriations.
- KALICH, HUGH: Local Government, Subchairman; Natural Resources; Transportation and Utilities.
- KILBURY, CHARLES D.: Agriculture, Chairman; Natural Resources; Ways and Means – Revenue.
- KING, RICHARD: Constitution and Elections, Chairman: Labor.
- KNOWLES, WALT O.: Constitution and Elections; Judiciary, Chairman.
- KUEHNLE, JAMES P.: Commerce; Rules; Ways and Means – Revenue.
- LAUGHLIN, EUGENE L.: Agriculture; Local Government, Subchairman; Transportation and Utilities.
- LECKENBY, BILL: Financial Institutions; State Government; Transportation and Utilities.
- LEE, ELEANOR: Local Government; Parks and Recreation; Transportation and Utilities.
- LUDERS, EDWARD T.: Ecology, Chairman; Ways and Means – Appropriations.
- LYSEN, KING: Constitution and Elections; Financial Institutions; Transportation and Utilities.
- MARTINIS, JOHN: Natural Resources, Chairman; Transportation and Utilities.
- MATTHEWS, GARY LEE: Labor; Natural Resources; Ways and Means – Appropriations.
- MAXIE, PEGGY JOAN: Higher Education, Chairwoman; Judiciary.
- MAY, WILLIAM J.S.: Labor; Rules; Social and Health Services.
- McCORMICK, GERALDINE: Financial Institutions; Local Government; Transportation and Utilities, Subchairwoman.
- McKIBBIN, JOHN S.: Labor, Vice Chairman; State Government; Ways and Means – Appropriations.
- MOON, CHARLES: Financial Institutions; Rules; Ways and Means – Revenue.
- MOREAU, ART: Higher Education, Vice Chairman; Natural Resources; Ways and Means – Revenue.
- NELSON, GARY A.: Higher Education; State Government; Ways and Means – Revenue.
- NEWHOUSE, IRVING: Judiciary; Rules; Ways and Means – Revenue.
- NORTH, FRANCES C.: Local Government; Parks and Recreation; Ways and Means – Appropriations, Vice Chairwoman.
- O'BRIEN, JOHN L.: Commerce; Rules, Vice Chairman; State Government.
- PARDINI, A. J. "BUD": Financial Institutions; Rules; Ways and Means – Revenue.
- PARIS, WM. "BILL": Local Government; Parks and Recreation; Social and Health Services.
- PARKER, MIKE: Financial Institutions; Labor; Social and Health Services, Vice Chairman.
- PATTERSON, E. G. "PAT": Higher Education; Judiciary; Transportation and Utilities.
- PERRY, ROBERT A.: Higher Education; Transportation and Utilities, Chairman.
- PETERSON, WARREN E.: Higher Education; Parks and Recreation; Social and Health Services.
- POLK, WILLIAM: Financial Institutions; State Government; Ways and Means – Appropriations.
- RANDALL, ROBERT: Parks and Recreation; Ways and Means – Revenue, Chairman.
- SAVAGE, CHARLES R.: Higher Education; Labor, Chairman.
- SAWYER, LEONARD A.: Rules, Chairman.
- SCHUMAKER, WM. "BILL": Agriculture; Natural Resources; Transportation and Utilities.
- SEEBERGER, ED: Judiciary, Subchairman; Parks and Recreation; Transportation and Utilities.
- SHERMAN, MARION KYLE: Constitution and Elections; Judiciary; Transportation and Utilities.
- SHINPOCH, A. N. "BUD": Local Government; Ways and Means – Appropriations, Chairman.
- SMITH, EDWARD P.: Local Government; Parks and Recreation; Ways and Means – Appropriations.
- SMITH, RICK: Judiciary, Subchairman; Natural Resources; Ways and Means –

## JOURNAL OF THE HOUSE

### Appropriations.

SOMMERS, HELEN: State Government, Chairwoman; Ways and Means - Revenue.

THOMPSON, ALAN: Rules; Ways and Means - Appropriations.

TILLY, EARL F.: Agriculture; Constitution and Elections; Social and Health Services.

VALLE, GEORGETTE: Ecology, Vice Chairwoman; Education; Ways and Means -

### Appropriations.

WARNKE, FRANK J.: Commerce, Chairman; Education; Ways and Means -

### Appropriations.

WHITESIDE, JIM: Education; Local Government; Social and Health Services.

WILLIAMS, AL: Commerce; State Government; Ways and Means - Revenue.

WILSON, SIMEON "SIM": Ecology; Local Government; Transportation and Utilities.

WOJAHN, LORRAINE: Commerce; Higher Education; Rules.

ZIMMERMAN, HAL: Ecology; Local Government; Rules.

# JOURNAL OF THE HOUSE

## HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE SHOWING THE ACTION BY THE GOVERNOR THEREON

Forty-Fourth Legislature - 1975  
Regular and First Extraordinary Sessions

House No.	Relating to:	Chapter No.	Effective Date
	1 Irrig. dists. insurance .....	14	6/12/75
	2 Leaseholds, mortgage terms .....	154 Ex.	9/8/75
*	12 Viet Nam veterans bonus .....	PV 273 Ex.	9/8/75
	15 Pharmacists, immunities .....	114 Ex.	9/8/75
	16 Dept./L&I, orders appeal .....	58 Ex.	9/8/75
	17 Law libraries, counties .....	37	6/12/75
	18 Dentistry, board, examinations .....	49	3/27/75
S	24 Soldiers' homes admissions .....	13	3/20/75
*S	29 Gambling commission .....	Vetoed	
	31 Counties, urban renewal .....	3	1/31/75
S	32 Minimum wage laws .....	289 Ex.	9/1/75
S	40 Health maintenance organizations .....	290 Ex.	9/8/75
	42 Public agencies, cooperation act .....	115 Ex.	9/8/75
S	47 Urban areas, urban arterials .....	253 Ex.	9/8/75
	48 Emergency care liability .....	58	6/12/75
	49 Civil commitment, suicide .....	199 Ex.	9/8/75
S	62 County ambulance service .....	147 Ex.	6/2/75
	63 Stock restricted areas .....	38	6/12/75
S	67 Mayors, popular elections .....	155 Ex.	9/8/75
S	73 Frozen food labeling .....	39	6/12/75
S	86 Government contractors sales tax .....	90 Ex.	7/1/75
S	87 Noxious weeds control .....	13 Ex.	9/8/75
	92 Shoplifting, civil actions .....	59 Ex.	9/8/75
	95 Eggs, egg production .....	201 Ex.	7/1/75
	100 Pollution control .....	6	3/6/75
*	102 Purchasing, material control .....	Vetoed	
	104 State cars, assignment .....	33 Ex.	9/8/75
	105 Motor pool transferred .....	167 Ex.	6/4/75
	106 Administrative board abolished .....	40	6/12/75
*S	111 Supplemental budget .....	PV 9	3/17/75
	112 SPI sick leave fund .....	60 Ex.	6/30/75
	117 Transportation tax study .....	2	1/29/75
	119 Campers, dealers, licensing .....	41	6/12/75
	123 Game law violations .....	57	6/12/75
*	124 Firewood cutting permits .....	PV 10	6/12/75
S	126 Obscene materials .....	156 Ex.	9/8/75
	127 Television improvement districts .....	11	6/12/75
	129 Hospital commissioners' comp .....	42	6/12/75
	130 Small claims judgments .....	40 Ex.	9/8/75
	131 School year, effort maintenance .....	23 Ex.	5/8/75
S	132 Personalized license plates .....	59	6/12/75
	138 School districts .....	43	7/1/75
	139 Public lands materials sales .....	52 Ex.	9/8/75
	141 Livestock theft .....	61 Ex.	9/8/75
	142 Admin. proceed. decisions .....	12	6/12/75
	144 Failure to render aid .....	210 Ex.	9/8/75
	154 Charitable solicitations .....	219 Ex.	9/8/75
	155 Prosecuting attorneys .....	19 Ex.	5/6/75
	158 School supt. housing .....	41 Ex.	5/15/75
	159 Convict made goods .....	44	6/12/75
	160 Mutual bank deposit certificates .....	15	3/21/75

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House No.	Relating to:	Chapter No.	Effective Date
	162 JP's, attorney requirement . . . . .	197 Ex.	6/16/75
*S	164 Transportation dept. created . . . . .	Vetoed	
	170 Propane, motor veh., tax . . . . .	62 Ex.	9/8/75
	171 Motor veh. gross weight . . . . .	168 Ex.	7/1/75
	172 Public vehicles, identity . . . . .	169 Ex.	9/8/75
	173 Teachers' authority . . . . .	254 Ex.	9/8/75
	174 Corporate boundary lines . . . . .	220 Ex.	9/8/75
	175 Motor vehicles gross weight . . . . .	63 Ex.	9/8/75
	176 Public employees deferred comp. . . . .	274 Ex.	9/8/75
S	177 All-terrain vehicles . . . . .	34 Ex.	7/1/75
S	183 Public works, bid limit . . . . .	64 Ex.	9/8/75
S	184 College, exempt fee over 60 . . . . .	157 Ex.	9/8/75
	189 Water dist., commissioners travel . . . . .	116 Ex.	9/8/75
S	198 Insurance code revisions . . . . .	266 Ex.	9/8/75
	199 Osaka exposition . . . . .	45	6/12/75
*	205 Intermed. schools, redesi g . . . . .	PV 275 Ex.	9/8/75
*S	206 Capital budget . . . . .	PV 276 Ex.	7/2/75
S	207 Off-street parking . . . . .	221 Ex.	9/8/75
S	208 Rape laws revised . . . . .	14 Ex.	9/8/75
S	211 Farm implements, car dealers . . . . .	PV 166 Ex.	6/4/75
*S	212 Amusement games . . . . .	166 Ex. PV	6/ 4/75
	218 State employees insurance board . . . . .	38 Ex.	9/8/75
S	219 Community college capital projects . . . . .	65 Ex.	5/22/75
*S	220 Railroad safety inspections . . . . .	Vetoed	
	226 Bill drafting, session laws . . . . .	5	2/28/75
	230 Road condition signs . . . . .	255 Ex.	9/8/75
S	239 Employees insurance benefits . . . . .	117 Ex.	5/29/75
S	246 Medical malpractice proof . . . . .	35 Ex.	9/8/75
S	249 Vehicle tonnage fees . . . . .	196 Ex.	9/8/75
	265 Teachers retire. approp. process . . . . .	148 Ex.	9/8/75
	267 Pollution control credits . . . . .	158 Ex.	9/8/75
	276 Muni. corps. liability insurance . . . . .	16	6/12/75
	278 Nursing homes, accounting . . . . .	213 Ex.	9/8/75
	279 Hard to place adoptions . . . . .	53	3/31/75
S	294 Credit union, revisions . . . . .	222 Ex.	9/8/75
	295 Bank conservators . . . . .	87 Ex.	5/26/75
	305 Motor vehicles, staggered regis . . . . .	118 Ex.	1/1/77
	307 University of Wash., liquor . . . . .	68 Ex.	9/8/75
S	308 Optometry . . . . .	69 Ex.	9/8/75
	310 Test fishing revenue . . . . .	223 Ex.	9/8/75
	311 Corporate reinstatements . . . . .	36 Ex.	9/8/75
	314 World Fair bond fund . . . . .	149 Ex.	9/8/75
	316 State warrants . . . . .	48	6/12/75
	324 Cargo containers tax exempt . . . . .	20 Ex.	9/8/75
	338 Apprentice electricians . . . . .	70 Ex.	9/8/75
	339 Apprentice plumbers . . . . .	71 Ex.	9/8/75
S	340 U of W museum documents . . . . .	159 Ex.	9/8/75
	344 Industrial insurance, revisions . . . . .	224 Ex.	7/1/75
	350 Hotel, motel tax . . . . .	225 Ex.	6/26/75
*	354 Revenue dept. designations . . . . .	PV 278 Ex.	9/8/75
*	357 Dump trucks, monthly license . . . . .	Vetoed	
	366 Fuel tax, interstate . . . . .	42 Ex.	9/8/75
	377 Game and fishing license fees . . . . .	15 Ex.	Varied
	383 School district budget salaries . . . . .	202 Ex.	9/8/75
	385 Cattle, sale assessment . . . . .	93 Ex.	9/8/75
	388 Justice court jury summons . . . . .	119 Ex.	9/8/75
S	389 Private preschool unempl. comp . . . . .	67 Ex.	5/22/75

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House No.	Relating to:	Chapter No.	Effective Date
S	395 Anatomical gifts .....	54	6/12/75
	406 Teachers, retired, insurance .....	17	6/12/75
*S	409 Electricians, general, special (Veto override)	PV 92 Ex. 195 Ex.	5/27/75 6/8/75
	410 Port, pub. dist., claims .....	60	6/12/75
S	413 Schools, sex discrimination .....	226 Ex.	9/8/75
	422 Destroyed property tax adj .....	120 Ex.	9/8/75
	423 Assessment corrections notice .....	160 Ex.	9/8/75
*S	427 Highways, capital projects approp .....	PV 279 Ex.	7/2/75
S	428 Highways, reimbur. exp. approp. ....	227 Ex.	6/26/75
	431 Aged persons, medication .....	43 Ex.	9/8/75
*S	435 Public service companies .....	Vetoed	
	436 Unempl. comp. law revisions .....	228 Ex.	6/29/75
	437 Highways signs .....	271 Ex.	7/1/75
	451 Cigarette excise tax .....	22 Ex.	9/8/75
	456 Water supply bonds .....	18	6/12/75
	461 PUD's maintenance assessment .....	46	3/24/75
	464 Indians' airports .....	161 Ex.	9/8/75
	467 Candidates pictures .....	162 Ex.	9/8/75
	468 Armory fund abolished .....	121 Ex.	7/1/77
	474 City ambulance service .....	24 Ex.	9/8/75
	475 Higher education financial impact .....	122 Ex.	9/8/75
S	479 Jurors, qualifications .....	203 Ex.	9/8/75
	480 L & I revolving fund created .....	123 Ex.	9/8/75
S	484 Juvenile program admin .....	124 Ex.	9/8/75
	486 County ferries, support .....	21 Ex.	5/6/75
*S	511 Milk production costs .....	Vetoed	
*S	527 Puget Sound, oil tankers .....	PV 125 Ex.	9/8/75
	530 Irrigation districts .....	163 Ex.	9/8/75
*	536 Health insur. contractors .....	Vetoed	
	537 School funds investment .....	47	1/1/76
	544 Joint operating agencies .....	37 Ex.	9/8/75
	561 Alcoholic beverages, import .....	256 Ex.	9/8/75
	573 Grass burning research .....	44 Ex.	5/15/75
	578 Pupil/teacher ratio .....	211 Ex.	7/1/76
	587 West Seattle access development .....	267 Ex.	6/30/75
*S	591 Internat. trade fairs funding .....	PV 292 Ex.	9/8/75
	595 Camping clubs practices .....	150 Ex.	9/8/75
	606 Young adults, class H premises .....	204 Ex.	9/8/75
	612 Public accountants .....	229 Ex.	9/8/75
	619 Alcohol abuse materials .....	164 Ex.	9/8/75
	620 Universities retirement plan .....	212 Ex.	6/19/75
	627 Pupil transfers .....	66 Ex.	9/8/75
S	651 Chiropractors .....	39 Ex.	5/13/75
*S	664 Thermal insulation standards .....	Vetoed	
	665 Public auction, state material .....	45 Ex.	5/15/75
*	675 Unanticipated funds .....	PV 293 Ex.	7/2/75
S	693 Public contract advertisements .....	230 Ex.	9/8/75
	695 Liens enforcement .....	231 Ex.	9/8/75
*	707 Small loan companies .....	Vetoed	
S	720 College degree titles .....	232 Ex.	9/8/75
	733 Solid waste collections .....	208 Ex.	9/8/75
	750 Libraries, book payments .....	72 Ex.	9/8/75
	752 School district expenses .....	151 Ex.	9/8/75
	760 Retirement allowance deduction .....	73 Ex.	9/8/75
S	762 Winter recreational parking .....	209 Ex.	9/8/75
	763 Juvenile court jurisdiction .....	170 Ex.	6/4/75

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House No.	Relating to:	Chapter No.	Effective Date
*	774	Massage therapists . . . . .	PV 280 Ex. 9/8/75
S	788	Changes, physicians, surgeons . . . . .	171 Ex. 9/8/75
	796	Rental deposit transfers . . . . .	233 Ex. 9/8/75
	798	Industrial insur., medication . . . . .	234 Ex. 9/8/75
	806	Winter sports conveyances . . . . .	74 Ex. 9/8/75
*S	818	Motor vehicle removals . . . . .	PV 281 Ex. 9/8/75
	825	Teachers, deferred comp. . . . .	205 Ex. 9/8/75
*S	827	Public disclosure . . . . .	PV 294 Ex. 7/2/75
S	860	Leg. transp. committee studies . . . . .	268 Ex. 6/30/75
*	861	Legislative budget . . . . .	PV 16 Ex. 5/1/75
*S	866	General state gov. budget. . . . .	PV 269 Ex. 6/30/75
*S	867	Washington Future Program . . . . .	PV 295 Ex. 7/2/75
S	932	Commercial fishermen loans . . . . .	152 Ex. 6/2/75
	962	Agriculture inspection . . . . .	257 Ex. 7/1/75
S	972	DSHS facilities, bonds . . . . .	258 Ex. 6/27/75
*	988	Presidential primaries . . . . .	Vetoed
S	1007	Elected officials' salaries . . . . .	263 Ex. 7/1/75
	1026	Veterans widows, employment . . . . .	198 Ex. 9/8/75
	1029	Sheriff, police chief assoc . . . . .	172 Ex. 9/8/75
	1031	Dist. court judge, Lincoln Co . . . . .	153 Ex. 9/8/75
	1035	Thermal power plant sites . . . . .	206 Ex. 6/16/75
	1043	Temporarily disabled workmen . . . . .	235 Ex. 9/8/75
	1050	Grain inspections, approp . . . . .	75 Ex. 5/26/75
	1051	Game funds investment . . . . .	207 Ex. 9/8/75
*	1075	Construction funds transfer . . . . .	PV 91 Ex. 9/8/75
	1077	Building code duplicate author . . . . .	282 Ex. 9/8/75
S	1078	Forest practices act rev. . . . .	200 Ex. 6/16/75
S	1091	U of W hospital bonds . . . . .	88 Ex. 5/26/75
S	1141	Bellevue-Seattle highway . . . . .	272 Ex. 7/1/75
S	1143	Community college capital proj . . . . .	236 Ex. 6/26/75
S	1146	Higher ed., capital proj. . . . .	237 Ex. 6/26/75
S	1174	Berry picking by children . . . . .	238 Ex. 6/26/75
S	1178	Central payroll system . . . . .	239 Ex. 7/1/75
*S	1204	Artificial honey products . . . . .	PV 283 Ex. 9/8/75

\*Action by Governor

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## HOUSE MEMORIALS AND RESOLUTIONS PASSED BY BOTH HOUSE AND SENATE

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Forty-Fourth Legislature - 1975  
Regular and First Extraordinary Sessions

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No.      Subject:

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### HOUSE JOINT MEMORIALS

- 1      Memorial, Veterans days
- 4      Natural gas supply conference
- 7      Elderly hot lunch program
- 8      Food stamp prices, reduction
- 15     Federal fiscal data
- 16     Federal budget information
- 17     Federal working relationship
- 18     Deep River post office
- 24     Apple blossom, national flower

### HOUSE JOINT RESOLUTIONS

- 19     Students, assistance

### HOUSE CONCURRENT RESOLUTIONS

- 1      Legislative session, governor notified
- 2      State of state message
- 5      Governor's conservation message
- 8      Memorial services
- 21     Legislature organized, Governor notified
- 28     Governor's message, joint session

# JOURNAL OF THE HOUSE

## SENATE BILLS PASSED BY BOTH HOUSE AND SENATE SHOWING THE ACTION BY THE GOVERNOR THEREON

Forty-Fourth Legislature - 1975  
Regular and First Extraordinary Sessions

Senate No.	Relating to:	Chapter No.	Effective Date
*S	2006 Veterans' affairs dept. ....	Vetoed	
*	2011 School holidays .....	Vetoed	
*	2021 Building permit fees .....	PV 8 Ex.	9/8/75
	2024 Highways franchises .....	46 Ex.	9/8/75
	2026 Sheltered workshop inventory .....	3 Ex.	9/8/75
	2032 School supt. contracts .....	137 Ex.	9/8/75
	2033 Amateur athletic physicals .....	1	1/27/75
	2035 Indians, library service .....	50	3/27/75
	2041 County road easements .....	22	6/12/75
	2046 Fishing derbies not gambling .....	259 Ex.	9/8/75
	2047 Hospital records retention .....	175 Ex.	9/8/75
	2049 State education board .....	19	6/12/75
	2051 Professional engineers, surveyors .....	23	6/12/75
	2055 Odometer replacements .....	24	6/12/75
	2058 Medical discipline .....	61	6/12/75
	2070 Crime victims, payments .....	176 Ex.	6/4/75
	2071 Sheriff's summons fees .....	94 Ex.	9/8/75
	2074 Sewer districts, warrants .....	25 Ex.	9/8/75
	2077 Jurors, compensation .....	76 Ex.	9/8/75
	2078 Motor vehicles, code rev .....	25	6/12/75
	2079 Trailer tax, refund .....	9 Ex.	9/8/75
	2080 Motor veh. certif. surrender .....	52	3/27/75
	2081 Sheltered workshops .....	20	3/21/75
	2082 First aid vehicles .....	PV 64	6/12/75
S	2086 Incompetents, guardians .....	95 Ex.	9/8/75
S	2092 Comprehensive criminal code .....	260 Ex.	7/1/76
	2096 School dist. admin. costs .....	5 Ex.	9/8/75
	2097 Youth corps .....	7	6/12/75
	2105 Uniform vehicle code .....	62	6/12/75
	2106 Facilities, life-cycle cost .....	177 Ex.	9/8/75
	2107 Tort judgments, interest .....	26	6/12/75
	2108 Foreign money judgments .....	240 Ex.	9/8/75
	2109 Motor veh. application, insp. fees .....	138 Ex.	9/8/75
S	2110 Model traffic ordinance .....	54 Ex.	9/8/75
	2114 Jud. officers, municipal courts .....	214 Ex.	9/8/75
	2117 Highways property deed .....	96 Ex.	9/8/75
*S	2123 School warrants cancellation .....	PV 131 Ex.	9/8/75
	2124 Mine to market roads .....	139 Ex.	9/8/75
S	2125 Stream alterations .....	29 Ex.	9/8/75
	2126 PUD's, prosp. employees .....	140 Ex.	9/8/75
	2127 PUD's, construction proj .....	10 Ex.	9/8/75
	2128 Emergency coin phones .....	21	6/12/75
	2131 Cemetery dist. deposits .....	55 Ex.	9/8/75
S	2133 Tort claims fund .....	126 Ex.	5/31/75
	2141 Blind, deaf youth .....	51	6/12/75
	2143 City public works .....	56 Ex.	9/8/75
	2146 Fire, police pensions .....	178 Ex.	6/4/75



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Senate No.	Relating to:	Chapter No.	Effective Date	
	2147	Herbicide programs, fees .....	27	6/12/75
*S	2150	Agric., general rev .....	PV 7 Ex.	9/8/75
*S	2159	Variable motor veh. fuel tax .....	Vetoed	
	2163	Petrified wood, state gem .....	8	6/12/75
	2167	Fair trade act repealed .....	55	6/12/75
	2169	School library services .....	127 Ex.	9/8/75
	2170	Auto, horse stealing .....	28	3/24/75
	2171	Personal recogniz. release .....	2 Ex.	9/8/75
	2172	District court fees .....	241 Ex.	9/8/75
	2177	Municipal court punishments .....	29	6/12/75
	2182	Jury fees .....	30	6/12/75
S	2183	Business & profess. fees .....	30 Ex.	9/8/75
	2192	Teachers' retire. sys. board .....	17 Ex.	9/8/75
	2194	U.S. senator vacancy .....	89 Ex.	Ref. 35
	2199	Unemp. comp. leg. employees .....	4	1/31/75
	2203	Hunting violations .....	6 Ex.	9/8/75
	2205	Traffic citations .....	56	3/31/75
*	2210	School, extra-curr. events .....	PV 284 Ex.	9/8/75
S	2211	Motor veh. lights .....	242 Ex.	9/8/75
	2215	County road board mileage .....	1 Ex.	9/8/75
	2218	Port dist. work contracts .....	47 Ex.	9/8/75
	2220	County warrants, delays .....	31	6/12/75
	2226	Indigent appeal fees .....	261 Ex.	9/8/75
	2227	Surplus Expo facilities .....	141 Ex.	6/2/75
	2233	Marriage dissolutions .....	32	6/12/75
S	2235	PUD's sewer systems .....	57 Ex.	9/8/75
S	2241	Indust. insur., survivor .....	179 Ex.	9/8/75
	2242	Columbia River Gorge com .....	48 Ex.	5/16/75
S	2249	Public depositories .....	77 Ex.	9/8/75
	2250	Cities, 400,000 pop .....	33	6/12/75
*S	2251	Financial disclosure .....	Vetoed	
S	2252	State highway routes .....	63	6/12/75
	2253	Nursing home admin. board .....	97 Ex.	5/28/75
S	2258	Learning disabilities .....	78 Ex.	5/26/75
S	2259	Employer contrib. liens .....	34	6/12/75
*	2265	Alien banks, misc. rev .....	PV 285 Ex.	9/8/75
	2266	Bank stockholders meetings .....	35	3/24/75
	2268	State funds investment .....	4 Ex.	9/8/75
	2271	School const. matching funds .....	98 Ex.	7/1/75
	2278	Nursing home regulation .....	99 Ex.	9/8/75
S	2280	Mun. transp. financing .....	270 Ex.	7/1/75
	2292	School dist., prof. training .....	192 Ex.	9/8/75
	2297	Judges, sup. ct., Whatcom .....	49 Ex.	9/8/75
	2300	Geographic names board .....	26 Ex.	9/8/75
	2306	Usury, defense .....	180 Ex.	9/8/75
	2309	V.A. hospitals jurisdiction .....	142 Ex.	9/8/75
	2310	Foreign executors .....	165 Ex.	9/8/75
S	2322	Volunteers, indus. insur .....	79 Ex.	9/8/75
	2328	Motor veh. fuel tax distrib .....	100 Ex.	9/8/75
	2331	Water poll. abatement .....	36	6/12/75
	2332	Insurer, prem. tax offsets .....	133 Ex.	9/8/75
	2334	Corps., general revisions .....	264 Ex.	9/8/75
*	2341	RR company fees .....	Vetoed	
	2346	School dist. property sales .....	243 Ex.	9/8/75
	2348	Trails expenditures .....	215 Ex.	9/8/75
	2384	City funds, LID warrants .....	11 Ex.	4/28/75
	2385	Yacolt burn, access .....	101 Ex.	9/8/75

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Senate No.	Relating to:	Chapter No.	Effective Date
	2386	Snowmobiles .....	181 Ex. 9/8/75
	2393	Game seasons .....	102 Ex. 9/8/75
	2395	Court reporter salaries .....	128 Ex. 9/8/75
*	2401	Workmen's comp. adj. ....	PV 286 Ex. 9/8/75
	2402	Port comm. power delegation .....	12 Ex. 9/8/75
	2403	Motor veh. violations, arrest .....	287 Ex. 7/2/75
*S	2408	Public empl. rel. comm. ....	PV 296 Ex. 9/8/75
	2411	Credit union share guaranty .....	80 Ex. 9/1/75
	2416	Trust deeds foreclosure .....	129 Ex. 9/8/75
*	2422	Handicapped, parking .....	PV 297 Ex. 9/8/75
*S	2423	Alcoholic beverages .....	PV 173 Ex. 7/1/75
	2434	State investments .....	81 Ex. 9/8/75
S	2443	Shoreline management .....	182 Ex. 9/8/75
	2453	Criminal justice facilities .....	103 Ex. 9/8/75
	2454	Criminal justice personnel .....	82 Ex. 9/8/75
*S	2463	Voc. ed. commission created .....	PV 174 Ex. 7/1/75
	2466	Public works, ret. percent .....	104 Ex. 9/8/75
	2467	Mutual savings banks .....	83 Ex. 9/8/75
S	2469	Mutual savings bank trusts .....	265 Ex. 9/8/75
S	2480	Securities regulations .....	84 Ex. 9/8/75
*	2484	Accrued vacation transfers .....	Vetoed
*S	2500	Education empl. rel. act .....	PV 288 Ex. Varied
	2501	Post audits, 2-yr. intervals .....	193 Ex. 9/8/75
S	2507	OPP&FM, annexations .....	31 Ex. 9/8/75
	2509	Notaries, rubber stamps .....	85 Ex. 9/8/75
	2513	Yakima migrant housing .....	50 Ex. 5/16/75
S	2517	Regional medical ed .....	105 Ex. 9/8/75
*S	2519	Post-second. ed. council .....	PV 132 Ex. 7/1/75
S	2526	Archaeological resources .....	134 Ex. 9/8/75
	2530	TESC parkway, Puget Is. ferry .....	18 Ex. 5/2/75
S	2574	Fishing vessels, gear .....	183 Ex. 6/4/75
	2607	Highway improvements .....	143 Ex. 9/8/75
	2608	Air pollution authorities .....	106 Ex. 9/8/75
	2609	RCW copies, counties .....	216 Ex. 9/8/75
	2611	Voter registration transfers .....	184 Ex. 6/4/75
	2613	Pretrial diversion programs .....	244 Ex. 9/8/75
S	2616	State land exch. notice .....	107 Ex. 9/8/75
	2619	Family practice training .....	108 Ex. 9/8/75
	2623	Child abuse reports .....	217 Ex. 9/8/75
	2633	National guard school credit .....	262 Ex. 9/8/75
	2634	Legislative members-elect .....	185 Ex. 9/8/75
	2636	Tree fruit research center .....	109 Ex. 9/8/75
	2647	State land, Kitsap county .....	27 Ex. 9/8/75
	2650	County budget actions .....	32 Ex. 9/8/75
S	2654	Real estate tax, school use .....	135 Ex. 9/8/75
	2670	Liquor license, common carriers .....	245 Ex. 9/8/75
	2690	Milk, containers .....	51 Ex. 9/8/75
S	2692	Physically handicapped, bldgs .....	110 Ex. Varied
	2698	County, unclassified positions .....	186 Ex. 9/8/75
*S	2713	County road projects .....	Vetoed
S	2715	School preliminary budgets .....	53 Ex. 5/20/75
S	2725	State employee, defense .....	144 Ex. 9/8/75
S	2727	Port commissioners comp .....	187 Ex. 9/8/75
	2735	Mentally deficient persons .....	246 Ex. 9/8/75
S	2736	Tax corrections, adj .....	291 Ex. Varied
S	2737	Sewerage, water systems .....	188 Ex. 9/8/75
	2741	Savings & loan associations .....	111 Ex. 9/8/75

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Senate No.	Relating to:	Chapter No.	Effective Date
S	2808	Municipal research council .....	218 Ex. 9/8/75
S	2833	Railroad grade crossings .....	189 Ex. 7/1/75
	2840	Rapists, work release .....	247 Ex. 9/8/75
S	2855	Comm. college faculty tenure .....	112 Ex. 9/8/75
	2861	Educational housing .....	145 Ex. 9/8/75
	2862	Local government holidays .....	194 Ex. 9/8/75
	2863	Pupils, physical safety .....	248 Ex. 9/8/75
	2886	Capitol office bldgs .....	249 Ex. 6/26/75
	2892	Port districts, unclaimed prop .....	28 Ex. 9/8/75
	2894	Ambulance service liens .....	250 Ex. 9/8/75
	2895	Blind vendors .....	251 Ex. 9/8/75
	2904	Dairy products .....	136 Ex. 9/8/75
	2910	License plates issuance, fee .....	146 Ex. 9/8/75
	2913	Physician assistants .....	190 Ex. 9/8/75
*S	2937	Motor vehicle excise tax .....	Vetoed
	2944	Asian development bank, invest .....	252 Ex. 9/8/75
	2945	Sewer districts merger .....	86 Ex. 9/8/75
	2957	Driver license fees increase .....	191 Ex. 9/8/75
	2960	Emergency services, duties .....	113 Ex. 9/8/75
S	2966	Fire districts, LID bonds .....	130 Ex. 5/31/75

\*Action by Governor

# JOURNAL OF THE HOUSE

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## SENATE MEMORIALS AND RESOLUTIONS PASSED BY BOTH HOUSE AND SENATE

Forty-Fourth Legislature - 1975  
Regular and First Extraordinary Sessions

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No.      Subject:

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### SENATE JOINT MEMORIALS

- 105      Highways aid
- 108      National forests, reforestation
- 110      Duck hunting

### SENATE JOINT RESOLUTIONS

- 101      Judicial system
- S 127    Citizen salary commission

### SENATE CONCURRENT RESOLUTIONS

- 101      Washington/British Columbia Governmental cooperation
- 105      Joint rules
- 107      Legislative bills, status
- 108      Adjournment sine die
- 109      Legislative bills, reintroduction
- 111      Volunteer week
- 117      Bills, retransmit, retain
- 118      Adjournment sine die, 1st Ex.
- 119      SB-2736, 36-hour rule suspension

# JOURNAL OF THE HOUSE

## GOVERNOR'S MESSAGES ON HOUSE BILLS VETOED AND PARTIALLY VETOED

Regular and Extraordinary Sessions - 1975

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section House Bill No. 12 entitled:

"AN ACT Relating to veterans benefits."

This bill makes certain changes in the eligibility requirements for receipt of Viet Nam veterans bonuses.

Section 4 declares an emergency and provides for the act to take effect immediately. I have, on several recent occasions, expressed my increasing apprehension over repeated and unwarranted use of emergency clauses in bills that do not measure up to the standard of urgency contained in Article II, section 1(b) of our Constitution. I have vetoed emergency clauses from such bills, and must do so again for the same reason in the case of this bill.

With the exception of section 4 which I have vetoed, the remainder of House Bill No. 12 is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

June 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 29 entitled:

"AN ACT Relating to gambling."

The major elements of the bill are: (1) the gambling commission is made an independent agency; (2) the gambling revolving fund is abolished and the commission made subject to general fund appropriations; and (3) the existing requirement that license fees be sufficient to cover all licensing and enforcement costs of the commission is removed.

I believe there is good reason for making the gambling commission an independent agency rather than being tied to the manpower and budgetary limitations of the Department of Motor Vehicles. However, I have serious objections to the other elements of the bill, and the bill is drafted in such a manner that I am compelled to veto it in its entirety.

While I have long supported the removal of special funds and the requirement that all agencies be subject to the accountability of the general fund budgeting process, I am persuaded that the gambling commission must be recognized as an exception and its revolving fund retained. Legalized gambling presents unique problems relating to regulation and enforcement, and experience in other states has shown that effective control of gambling requires that the regulatory agency be free to the greatest possible extent of any political pressures. Experts in the State of Nevada attribute that state's success in recent years in rooting out dishonest and corrupt elements from the gambling industry to the development of a highly capable and expert enforcement mechanism. At the heart of that mechanism is that state's gambling control agency which is independent of the general fund appropriation process and which is empowered by law to set such fees as are necessary to fund all of its operational and enforcement costs. It is generally acknowledged that the agency would not have the necessary flexibility to perform effectively if it were compelled to depend on both the executive and the legislative branches for its required appropriations.

It is also based on the experience of other states that I believe the statutory requirement on the level of license fees must be retained. The Legislature has determined at each succeeding session that the scope of legalized gambling in this state should be expanded. Proper regulation requires the employment of personnel not only for enforcement, but also for investigatory purposes. The cost thereof, which can be considerable, should not be borne by

# JOURNAL OF THE HOUSE

general taxes, but by those who choose to go into the business of gambling in one form or another.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 29.

Respectfully submitted,  
Daniel J. Evans  
Governor

For Veto Message on House Bill No. 102, see page 1602.

March 17, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Substitute House Bill No. 111 entitled:

"AN ACT Relating to expenditures by state agencies; adopting a supplemental budget for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975."

Section 16 appropriates \$13,200,000 to the Legislative Budget Committee as a contingency fund, to be released as that committee deems necessary to support certain programs of the Department of Social and Health Services. I am not opposed to the idea of appropriating contingency funds to an administrative agency for expenditure or grant to another agency, pursuant to appropriate constitutional or legislative standards. However, for reasons I have stated on several previous occasions, I believe that the manner in which the legislature has attempted to do so in this case is questionable.

In the first place, the attempted appropriation is, in form, an appropriation to a legislative committee for functions which are clearly executive and administrative. I have stated my opposition to that idea in several previous messages on the ground that it is inconsistent with the doctrine of separation of powers and, at best, violates the fundamentals of good government by interposing legislative interference in the administrative process. (See for example, section 3, chapter 210, Laws of 1973, 1st Ex. Sess.; also sections 21, 24, 25 and 26, chapter 197, Laws of 1974, 1st Ex. Sess.)

Second, I am advised that the delegation of such a function in this case would transform the Legislative Budget Committee into a "civil office" within the meaning of Article II, section 13 of the Washington State Constitution. This would prohibit any member of the legislature from being appointed to serve on that vital committee from the effective date of the appropriation to the end of the 1973-1975 biennium. I am certain the legislature did not intend that result and I would feel obliged to veto the section for that reason, if for no other.

Finally, I have some doubt that section 16 would be upheld as a valid appropriation, if it were attacked on constitutional grounds. Section 16 in its present form would delegate to a legislative committee, in its sole discretion, the function of determining whether or not to "release" all or any part of the \$13,200,000 in question. Considering the nature of appropriation measures as legislation, and the traditional constitutional role of the legislative process, I question whether section 16 would be viewed as a completed appropriation, or whether it would instead be viewed as an improper attempt to delegate legislative power to a committee.

I would propose that the legislature consider as an alternative to section 16 as written an appropriation to the Department of Social and Health Services in contingency funds to be expended only upon certification by that agency to the Legislative Budget Committee and to the Office of Program Planning and Fiscal Management that there exists a need for those funds, and that funds previously appropriated which could have been used for the purposes stated have been exhausted prior to the use of the contingency funds. I believe such an appropriation would accomplish the desired purpose of the legislature in assuring that the funds are expended only upon the occurrence of certain contingencies.

With the exception of section 16, which I have vetoed for the foregoing reasons, the remainder of Substitute House Bill No. 111 is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

# JOURNAL OF THE HOUSE

March 20, 1975

To the Honorable, the  
House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section House Bill No. 124 entitled:

"AN ACT Relating to the department of natural resources."

Section 4 of the bill declares an emergency and provides for the act to take effect immediately. Our Constitution states that bills shall take effect ninety days after adjournment of the legislative session at which it was enacted. The purpose for this is to allow the people to exercise their right of referendum. Only one exception to this is recognized: Laws "necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions." Art. II(1)(b).

House Bill No. 124 does not meet the constitutional criteria required to take effect immediately and to remove thereby the right of referendum. In fact, I am advised by the department of natural resources that the emergency clause is unnecessary.

I would remind the legislature that our state Constitution requires more circumspect use of emergency clauses.

With the foregoing exception, I have approved the remainder of House Bill No. 124.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 164 entitled:

"AN ACT Relating to state government; creating a department of transportation and prescribing its general structure, personnel, powers, duties, and functions; transferring to the jurisdiction of the department of transportation and/or the secretary of transportation certain powers, duties, and functions of the department of highways, the highway commission and the toll bridge authority; transferring to the jurisdiction of the secretary of transportation certain powers, duties, and functions of certain state officials, boards, and commissions; providing the procedure for the aforesaid transfers; saving certain rights; abolishing certain state agencies and offices."

For a number of years now there has been a need for bringing together into one agency the various state transportation responsibilities and planning functions now resting in several separate agencies. Since 1967 over 21 bills to establish a state department of transportation have been before the Legislature, including my own proposals in each session since that year.

Some ten years ago, this state was among the first to consider reorganization of transportation agencies to provide an integrated means of planning and providing for the state's transportation needs. The subject was again before the Legislature in the recently adjourned regular and special sessions, but the expectation of many that the Legislature would adopt a reasonable package of transportation bills, relating to both financing and organization was not realized.

Substitute House Bill No. 164 as originally adopted by the House did contain the necessary elements of nearly all major transportation responsibilities in this state and specified an appropriate administrative mechanism. As finally passed by the Legislature, however, the bill fails to recognize the need for administrative accountability to the chief executive of the state and deals inadequately with the question of reorganization. In fact, there is no reorganization of existing state functions in this bill. In addition, it does not recognize the many responsibilities that have been delegated to the Governor by every piece of major federal legislation relating to transportation. This bill, which effectively takes from the Governor any control of

# JOURNAL OF THE HOUSE

the functions of the department, is a marked departure from the departments of transportation that have been enacted in recent years by nearly all of the 28 states which have modernized their administrative framework in transportation matters.

While I recognize the considerable efforts of a number of individuals during this session on matters relating to the transportation package, the department set up by this bill falls far short of the type of agency required to address our modern transportation needs. I will continue to work with all concerned parties to procure the enactment of a bill that is truly worthy of the labor of so many in these past years.

For these reasons, I have determined to veto Substitute House Bill No. 164.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to two sections House Bill No. 205 entitled:

"AN ACT Relating to intermediate school districts; redesignating such districts, with their attendant boards and officials as educational service districts."

Section 2 contains a proviso which prohibits the State Board of Education from consolidating intermediate school districts without express approval by the Legislature. Recent studies have shown that consolidation of intermediate school districts will lead to greater efficiency in educational management and attendant cost savings. I believe the State Board of Education should not be prevented from taking measures to improve management and save tax money in this manner.

Section 156 declares an emergency and provides for the act to take effect immediately. I have, on several recent occasions, expressed my increasing apprehension over repeated and unwarranted use of emergency clauses in bills that do not measure up to the standard of urgency contained in Article II, section 1(b) of our Constitution. I have vetoed emergency clauses from such bills, and must do so again for the same reason in the case of this bill.

With the exception of sections 2 and 156 which I have vetoed, the remainder of House Bill No. 205 is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one item Substitute House Bill No. 206 entitled:

"AN ACT Adopting the capital budget; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects."

In section 19, beginning on page 45, I have vetoed the proviso beginning on line 33 and ending on line 1, page 46, which prohibits the expenditure of funds for planning or construction of occupational skill centers.

This proviso apparently arises out of legislative concern over potential duplication of effort in the area of vocational education. This same concern was a major reason for the enactment of Substitute Senate Bill No. 2463 (Chapter 174, Laws of 1975 1st ex. sess.), and the Commission on Vocational Education established by that act should be permitted to determine whether such duplication exists. Enactment of the prohibition in this proviso is therefore premature at this time.

With the exception of the foregoing proviso which I have vetoed for the reasons stated, the remainder of the bill is approved.



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Respectfully submitted,  
Daniel J. Evans  
Governor

For Veto Message on Substitute House Bill No. 212, see page 1861.

May 13, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 220 entitled:  
"AN ACT Relating to railroads."

This bill would transfer the responsibility presently vested in the Utilities and Transportation Commission for inspection of railroad employee safety to the Department of Labor and Industries.

Washington State is currently one of only six states certified by the Federal Railroad Authority for railroad public safety inspection, and this is directly attributable to efforts of the Utilities and Transportation Commission. By all indications, the state, through the Commission will further be certified for railroad employee safety inspection, which would thereby qualify the state for federal matching funds for that purpose.

There is no compelling reason to transfer this responsibility now to the Department of Labor and Industries. Such action would create needless duplication of effort in the two agencies, and could disrupt current efforts at obtaining certification for employee safety inspection.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 220.

Respectfully submitted,  
Daniel J. Evans  
Governor

For Veto Message on Substitute House Bill No. 249, see page 1678.

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to one section House Bill No. 354 entitled:

"AN ACT Relating to conforming state statutes to reflect the transfer of powers, duties and functions from the state tax commission to the department of revenue or to the board of tax appeals."

Section 216 declares an emergency and provides for the act to take effect immediately. I have, on several recent occasions, expressed my increasing apprehension over repeated and unwarranted use of emergency clauses in bills that do not measure up to the standard of urgency contained in Article II, section 1(b) of our Constitution. I have vetoed emergency clauses from such bills, and must do so again for the same reason in the case of this bill.

With the exception of section 216 which I have vetoed, the remainder of House Bill No. 354 is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

For Veto Message on House Bill No. 357, see page 1679.

For Veto Message on Substitute House Bill No. 409, see page 1677.

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

# JOURNAL OF THE HOUSE

I am returning herewith without my approval as to several items Substitute House Bill No. 427 entitled:

"AN ACT Relating to highways; making appropriations for the operations and capital improvements of the state highway commission, the urban arterial board, and the Washington toll bridge authority."

## 1. Priority programming.

In section 1, page 2, beginning on line 3, I have vetoed the proviso ending on line 8 which allows the Highway Commission to digress from the mandate of the priority programming law in order to "utilize effectively state and federal funds available for highway purposes."

The intent of this proviso is unclear and may be subject to varying interpretations. Existing law already provides for departure from priority programming in any of the following circumstances:

". . . (a) to the extent that otherwise funds cannot be utilized feasibly within the budget, (b) as may be required by court judgment or legally binding agreement, (c) to take advantage of some substantial financial benefit that may be available, or (d) for continuity of route development." See RCW 47.05.050.

If the intent of the proviso is to add another situation under which the commission may depart from priority programming, it should be clearly stated. Absent persuasive evidence that would justify such broadening of the exceptions to priority programming, I cannot accept the proviso.

## 2. Urban Arterial Board.

In section 2, page 3, beginning on line 28, I have vetoed the item ending on line 30 providing for inclusion in the Urban Arterial Board appropriation of \$5 million from proceeds of sale of series II bonds.

The authorization for issuance of series II bonds was contingent on the enactment of Substitute Senate Bill No. 2159 relating to the variable gasoline tax. Since I have vetoed that bill, it would be inappropriate for this item to remain in the appropriation.

## 3. Port Townsend-Keystone ferry.

In section 3, page 4, beginning on line 29, I have vetoed the proviso ending on line 33 directing the Toll Bridge Authority to provide year-round ferry service on the Port Townsend-Keystone route. While maintenance of year-round service on this route may be desirable, the difficult circumstances of the motor vehicle fund at this time would make it prudent to allow the Toll Bridge Authority to exercise its discretion in this respect after thorough review of the demand on this route and exigent needs elsewhere.

With the exception of the foregoing items which I have vetoed for the reasons stated, the remainder of the bill is approved.

Respectfully submitted,

Daniel J. Evans

Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 435 entitled:

"AN ACT Relating to the powers and duties of the utilities and transportation commission."

This bill was drafted with the primary purpose of enhancing the internally generated cash flow of regulated utilities by mandating certain rate-making procedural changes and accounting treatments to be followed by the Utilities and Transportation Commission. The concern of the bill's proponents was to assure that adequate rate increases be granted to the regulated utilities in the most expeditious manner possible in order to improve the financial condition of those utilities. It was anticipated that with such improvement, equity and debt capital would be more easily attracted to enable the utilities to expand in proportion to the projected growth in demand for their services.

## JOURNAL OF THE HOUSE

It has been difficult for me to arrive at a decision on this bill because I have received persuasive and compelling arguments from both proponents and opponents on the desirability of the various elements of the bill. From the broader perspective, however, I believe it to be very important, whenever the commission has a question before it, for the commission to have the necessary discretion to adapt and accommodate the delicate balance between utility interests and consumer interests. I also believe that all the key elements sought by proponents of the bill are within the present discretion of the commission. I have been in contact with the commission, and am certain that the commission will consider those specific elements on the appropriate occasions. I have also asked the commission to make every effort to ensure prompt and decisive adjudication of the cases that come before it.

I am persuaded that the Utilities and Transportation Commission has done a competent and responsible job of assuring the reasonable financial well-being of the regulated utilities while at the same time protecting the consumers' interest in reasonable and nondiscriminatory rates. While this bill might have been necessary in a state where there is an adverse regulatory climate, I am firmly convinced that the regulatory climate in this state is a sound one, and that the commission has acted fairly. There has been no showing to the contrary, and absent such showing I cannot approve this bill at this time.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 435.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 511 entitled:  
"AN ACT Relating to milk pooling."

This bill provides, in substance, certain criteria by which the director of the Department of Agriculture is to establish a "fair payment" to producers for the production of fluid milk for human consumption.

While I highly sympathize with the concerns of the dairy farmer in this state and agree with the purpose of the bill in seeking to achieve stability in the milk market, I do not believe this bill will accomplish that purpose. Perhaps the major problem not dealt with by the bill is the overproduction that pervades the industry at this time. I am advised that as a result of this overproduction, less than half of the milk produced goes into the fluid milk market, an amount markedly lower than as recent as three years ago, when approximately 65% of the milk produced was sold as fluid milk. Nor does the bill speak at all to the increasing share of the fluid milk market now being sold by producer-handlers.

The dairy industry is vital to the State of Washington, and the well-being of our economy requires a stable milk market. Unfortunately, this bill is incomplete in its application to the present problems that plague the industry, and I cannot accept the bill as passed. I would be happy, however, to work with all interested parties in developing a better and more comprehensive solution which might ultimately help in stabilizing this important industry.

For these reasons, I have determined to veto Substitute House Bill No. 511.

Respectfully submitted,  
Daniel J. Evans  
Governor

For Veto Message on Substitute House Bill No. 527, see page 1627.

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 536 entitled:  
"AN ACT Relating to health care."

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The substance of this bill is contained in section 2, which mandates health care contractors licensed under RCW chapter 48.44 to pay for the following services of licensed practitioners: (1) chiropodists, (2) optometrists, (3) registered nurses, (4) chiropractors, and (5) psychologists. Many of these health care contractors, through voluntary negotiation, already pay for the services of licensed chiropodists, optometrists and psychologists, so that the practical effect of this bill is to mandate the inclusion of chiropractors and registered nurses.

Where a private group of health care practitioners gather together to offer their services to individuals or groups which may or may not purchase such services depending entirely on their own choice, I do not believe it is desirable or good policy to mandate by law a substantial broadening of the scope of services offered. In the end, in order to remain competitive, these health care contractors must respond to the desires of the subscribers of their services, and it is my hope that eventually those contractors will voluntarily expand their scope of services to ensure the broadest possible coverage in the health care field.

I am especially concerned that coverage for registered nurses be made available in the near future, particularly in those rural areas where they are often the only available medical service resource. If it appears that legislation is needed to implement such coverage, I will support its passage.

For the foregoing reasons, I have determined to veto House Bill No. 536.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Substitute House Bill No. 591 entitled:

"AN ACT Relating to trade fairs."

Section 9 of the bill increases the revenue to the trade fair fund from three to four percent, and correspondingly decreases the revenue to the general fund derived from horse racing parimutuel machines by one percent.

I am advised that the trade fair fund has a current balance in excess of \$150,000, and at the present three percent level of funding receives annually an average of \$130,645. The maximum annual expenditure from the fund to finance fairs both within and outside the United States, including the increased funding allotments and state agency support costs, would be \$155,980. Since domestic fairs are not held on a regular basis, funds accrued during the intervening periods are sufficient to hold such an event at the appropriate time. Therefore the existing revenue base is sufficient for present and projected demands on the fund, and the increase is unwarranted at this time.

With the exception of section 9, which I have vetoed for the reasons stated, the remainder of Substitute House Bill No. 591 is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 664 entitled:

"AN ACT Relating to thermal insulation standards for new residential occupancy construction."

This bill incorporates specific thermal insulation and design standards into the State Building Code presumably until such standards are incorporated into the new Uniform Code. Its purpose of encouraging energy conservation concerns in housing construction is laudable, but there are unfortunately problems which, on balance, call for a veto of the bill.

## JOURNAL OF THE HOUSE

The bill sets forth a complex series of insulation regulations that will be difficult to implement and enforce at the local level, particularly in rural and smaller communities. It is questionable whether enough technical assistance is available to assist local jurisdictions in the interpretation and enforcement of this act. I am advised that the State Building Code Advisory Council and Planning and Community Affairs Agency are already working with local jurisdictions in the implementation of the original State Building Code which went into effect January 1, 1975, and that while reasonable progress is being made, there are still a number of jurisdictions that have not been able to comply with the provisions of that act. The addition of these thermal insulation standards, particularly as complex as these are, will compound the problem at the local level.

There are other problems in the bill related to omission of necessary amendments setting forth the proper effective date and expiration date of the act. The resulting inconsistencies are contained in sections 1 and 15 of the bill. While these problems could be corrected at a subsequent session, I believe the purpose of the act would be better served if action on the entire bill were deferred until the 1976 edition of the Uniform Building Code is published. That edition should be available in January, 1976, and would also contain thermal insulation standards which the Legislature could adopt together with the other portions of the Uniform Code. I would support such action and will direct the applicable state agencies to work with the Legislature in the enactment of such a bill.

For these reasons, I have determined to veto Substitute House Bill No. 664.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to several sections House Bill No. 675 entitled:

"AN ACT Relating to state government."

This bill changes, among other things, the existing law as it relates to the expenditure of unanticipated receipts, and delegates to the Legislative Budget Committee the power to approve or disapprove expenditure of such receipts while the Legislature is not in session. During a legislative session, such power of approval would rest with the House and Senate standing committees on Ways and Means. Under existing law, it is the duty of the Governor to review and approve proposals for expenditure of unanticipated receipts with due notice to the Legislative Budget Committee and the Ways and Means Committees of each house.

This bill is one of the latest of a number of bills passed in recent sessions designed to take away from the executive functions and duties which are executive in nature and delegate them instead to legislative committees. I have vetoed several bills or portions of bills which have attempted to accomplish this, and I object to several sections of this bill for the same reasons.

I believe that the interposing of legislative committees into executive functions at best violates the fundamentals of good government. Even more seriously, I am advised that the delegation of such a function to a legislative committee could transform that committee into a "civil office" within the meaning of Article II, section 13 of the Washington State Constitution. This would prevent any member of the Legislature from serving on such a committee, which is an unfortunate result that I do not believe the Legislature intended.

While the Legislature as a whole has the constitutional power to control expenditure of public funds through the appropriation process, I question whether the delegation of such power to a legislative committee is permissible under our Constitution, and look on this as even more reason why I cannot approve this kind of procedure.

For these reasons, I have determined to veto sections 3, 4, and 12. Since subsection (1) in section 21 repeals the existing section of the law on approval of expenditure of unanticipated receipts, I have determined also to veto that subsection. I do not believe I am constrained in vetoing the entire section 21 inasmuch as the repealer in subsection (1) constitutes a separate and independent subject by itself.

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With those exceptions, the remainder of the bill is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 707 entitled:  
"AN ACT Relating to small loan companies."

This bill amends existing law regulating the business of small loan companies by increasing the maximum loan that may be made by such companies, extending the permissible repayment period, and changing allowable interest rates on such loans.

I do not question that some of the provisions of the bill are meritorious and that some relief is necessary, particularly as to the upper limit for small loans and the length of time for repayment. I am confident too, that many, if not almost all those legislators who supported the bill did so on the merits of the issues before them.

However, I have become increasingly concerned over the circumstances under which this bill was enacted, in light of which I cannot approve the bill.

Accordingly, I have vetoed House Bill No. 707.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section House Bill No. 774 entitled:

"AN ACT Relating to the operation of massage businesses."

This bill provides for the regulation and licensing, at the state level, of massage businesses and operators.

Section 8 contains a "grandfather clause" allowing any person engaged in the massage business for one year or more to qualify for the massage operator's license without taking the examination prescribed elsewhere in the bill.

I have long stated my objection to grandfather clauses in business licensing acts for the reason that I do not believe it is either in the best interest of the public or the particular business involved to license all persons previously engaged in a business for a set period of time regardless of the competency of such person. In addition, I cannot ignore the reports by law enforcement agencies detailing the proliferation in certain areas of our state of purported massage parlors which actually engage in a number of illicit and criminal activities. Approval of the grandfather clause in this bill would effectively grant licenses to persons engaged in such activities at those establishments.

With the exception of section 8 which I have vetoed for the reasons stated, the remainder of House Bill No. 774 is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Substitute House Bill No. 818 entitled:

## JOURNAL OF THE HOUSE

"AN ACT Relating to towing or removing of motor vehicles from private property."

This bill makes various changes in the law governing the rights and duties of tow truck operators.

Section 9 declares an emergency and provides for the act to take effect immediately. I have, on several recent occasions, expressed my increasing apprehension over repeated and unwarranted use of emergency clauses in bills that do not measure up to the standard of urgency contained in Article II, section 1(b) of our Constitution. I have vetoed emergency clauses from such bills, and must do so again for the same reason in the case of this bill.

With the exception of section 9 which I have vetoed, the remainder of Substitute House Bill No. 818 is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Second Substitute House Bill No. 827 entitled:

"AN ACT Relating to open government."

This bill makes a number of changes in RCW chapter 42.17, the Public Disclosure Act (Initiative 276).

Section 24(9) contains a proviso which would require the Public Disclosure Commission to hold formal hearings under the Administrative Procedure Act when it finds that "probable cause exists to believe that any party has committed an apparent violation of this chapter ...." Although the wording of the subsection is not clear, it would appear to require the commission to (1) find probable cause, (2) hold a hearing under the APA, and based on the evidence, (3) find an apparent violation, and (4) refer the matter to the appropriate enforcement agency.

A requirement to hold formal "contested case" hearings would make sense if it were coupled with a grant of authority enabling the Commission to impose administrative remedies or penalties, or determine private rights pursuant to such hearings. However, the commission has no such authority, and I believe a requirement of that kind without corresponding authority to impose administrative sanctions would be a hollow and useless form of due process.

I am advised also that this requirement would impose an enormous administrative burden on the Public Disclosure Commission which it has no present capability to handle. In light of the lack of real need for this provision, I cannot accept this change.

For these reasons, I have determined to veto section 24 of the bill since I am unable to veto only the applicable subsection. With the exception of that section, the remainder of the bill is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

May 1, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section House Bill No. 861 entitled:

"AN ACT Relating to expenditures by the legislature."

This bill appropriates amounts for use by the legislature during a biennial appropriation period.

Section 3 exempts the legislature and all of its officers, employees, and standing committees from all provisions of RCW Chapter 43.88, the Budget and Accounting Act, and the rule

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making power of any agency relating to the management and control of expenditures. It further directs each house to establish its own accounting system. The stated purpose of the section is to allow the legislature to function as a separate but equal branch of government and to permit effective control of its expenditures.

I have an abiding respect for the constitutional doctrine of separation of powers and believe strongly in the independence of the legislature. As to accountability for expenditure of public funds, however, the same policies and limitations should apply uniformly to all three branches of government, and it would not be in the public interest to exempt any one of the three. The state auditor has the constitutional duty to examine the use or misuse of public funds; such examination should be conducted under the same rules and guidelines for all three branches of government.

While there may be some reluctance on the part of the legislature to conform to budgeting and accounting rules set by the office of program planning and fiscal management, it should be emphasized that such rules are adopted according to policies determined by the legislature itself.

With the exception of section 3, which I have vetoed for the foregoing reasons, the remainder of the bill is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

July 1, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to certain sections and items Substitute House Bill No. 866 entitled:

"AN ACT Adopting the budget; making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1975, and ending June 30, 1977; making other appropriations; designating effective dates for certain appropriations; and declaring an emergency."

The specific sections and items which I have vetoed are as follows:

1. Alternatives for Washington.

On page 4, section 11, I have vetoed subsection (10) which declares that no part of the Governor's special appropriation fund shall be used for the Alternatives for Washington program.

The value of studies which help in the planning and development of policy has long been recognized by the Legislature, and there has not been a session of the Legislature in recent history that has not appropriated funds for studies on a host of subjects. The executive, as an equal and coordinate branch of government, must likewise be permitted to engage in such studies as will enable it to carry out its constitutional and statutory duties in appropriate manner.

2. State magazine.

On page 7, section 21, I have vetoed subsection (4) which provides for the reversion of \$248,000 purportedly included in state agency budgets for state magazine purposes to the general fund.

The concept of a quality state magazine was conceived to provide a single, unified, and informative source of information on the operations of state government of general interest to our citizens. It was further intended, along with executive request legislation proposed during the recently adjourned sessions of the Legislature, to eliminate the multiplicity of publications issued by state agencies, each of which provided little information of general interest. While certain of these publications serve a valuable purpose and should be continued, publication of the state magazine should remove the need for the remainder and should result in noticeable reductions in overall state agency publication costs.

3. Timber tax return audits.

On page 10, section 28, I have vetoed subsection (2) which places a restriction on the manner in which the Department of Revenue is to conduct audits of timber tax returns.



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The Department of Revenue has had adequate staffing to conduct audit responsibilities assigned to it during the past biennium. Subsection (1) of section 28 mandates an increase in the audit coverage of timber tax returns. To add this burden to the department at the same time flexibility is removed for proper staffing is unduly restrictive and unrealistic.

#### 4. Purchasing and material control.

On page 11, section 32, I have vetoed subsection (3) which appropriates \$210,000 for implementation of the provisions of House Bill No. 102.

I previously vetoed this bill on May 15, 1975, and in my veto message stated that I agree with and support the intent of that legislation but could not accept the creation of a policy board to implement that intent. While I am vetoing this appropriation because it relates to House Bill No. 102, I have already asked the Department of General Administration to proceed under the policy declared by the Legislature in that bill to the fullest extent permitted by existing law.

#### 5. Planning and Community Affairs Agency – federal grants.

On page 58, section 63, I have vetoed subsection (1) which requires the Planning and Community Affairs Agency to obtain prior approval of the Legislative Budget Committee before expenditure of federal grants which exceed by a certain amount the anticipated sum for specific activities.

I believe there are serious questions as to whether this kind of prior approval of expenditures by the Legislative Budget Committee is constitutional. These same concerns were elaborated in my veto message attached to Substitute House Bill No. 111 dated March 17, 1975. In brief, I believe this provision constitutes an encroachment into executive functions by a legislative committee and further question whether this is a valid delegation of legislative power to a single committee. The question can also be raised as to whether the delegation of this type of function to the Legislative Budget Committee would make that committee a "civil office" within the meaning of Article II, section 13 of the state Constitution so that members of the Legislature would not be able to serve thereon. Even disregarding the constitutional questions, I believe the restriction is bad policy because it removes needed flexibility from the agency in utilizing the funds received. Such flexibility is required at times to meet newly imposed federal regulations governing expenditures of the grant funds.

#### 6. Planning and Community Affairs Agency – federal grants.

On page 58, section 63, I have vetoed subsection (2) which requires the Planning and Community Affairs Agency to obtain prior approval of the Legislative Budget Committee before expending federal grants not included in the agency's appropriation.

The reasons stated above for the veto of subsection (1) of section 63 also apply here. In addition, RCW 43.79.260–280 already sets out a procedure for the receipt and expenditure of unanticipated funds involving approval by the Governor and notification to the Legislative Budget Committee and both standing Committees on Ways and Means. No valid reason has been given to alter that procedure either for this or any other agency.

#### 7. Toll-free telephone service.

On page 59, section 63, I have vetoed subsection (9) declaring that no funds from the Planning and Community Affairs Agency appropriation shall be used for toll-free telephone services.

This provision is apparently directed at toll-free telephone services initiated by the Planning and Community Affairs Agency in the area of housing information and in encouraging local government agencies to take advantage of available state assistance in planning and other technical matters. There is every reason to believe that the use of toll-free telephone services not only promotes greater communication between that state agency and its constituent population, but also effects net cost savings by reducing the time and expense otherwise involved in travel by staff members of that agency across the state to accomplish the same goals now being achieved by installation of toll-free telephone services. The Legislature itself has recognized the wisdom of such telephone service by the installation of its own toll-free service for use by citizens from every part of the state.

#### 8. Department of Transportation.

On page 65, I have vetoed section 72 which makes an appropriation to the Department of Transportation from the public transportation account of the general fund.

## JOURNAL OF THE HOUSE

The appropriation in this section is contingent on the passage of Substitute Senate Bill No. 2535. That bill was not passed by the Legislature nor was a public transportation account established in the general fund.

### 9. K-12 Program.

On page 81, I have vetoed section 147 which provides that no funds shall be expended for (a) 1971 "Guidelines and Standards" adopted by the State Board of Education, and (b) development of occupational skill centers.

The 1971 "Guidelines and Standards" developed by the Board of Education provides at this time the certification criteria for over 1,000 professional staff persons in the K-12 program. Perhaps, as the Legislature apparently believes, the certification process can be better administered in some other fashion. But until such time as better standards and guidelines are actually developed, it is inappropriate simply to do away with the present program and thereby jeopardize the certification of the large number of persons affected.

The prohibition against funding occupational skill centers in this section apparently arises out of legislative concern over potential duplication of effort in the area of vocational education. This same concern was a major reason for the enactment of Substitute Senate Bill No. 2463 (Chapter 174, Laws of 1975 1st ex. sess.), and the Commission on Vocational Education established by that act should be permitted to determine whether such duplication exists. Enactment of the prohibition in this section is therefore premature at this time.

### 10. State Board of Education.

On page 82, section 148, I have vetoed subsection (5) which prohibits the State Board of Education from consolidating intermediate school districts without approval by the Legislature.

I believe that if the State Board of Education can effect greater efficiency in educational management and save the taxpayers' money by consolidating intermediate school districts, it should not be prevented from so doing. Such efforts should, indeed, be encouraged to the greatest extent.

### 11. Emergency school special levy relief.

On page 85, I have vetoed section 150 which appropriates \$65 million for emergency special levy relief and provides a formula of distribution of these funds.

I firmly believe that the level of special levy relief approved by the Legislature is inadequate to meet the basic needs of our common schools. For those districts which have lost their special levies, it is no longer a question of simply cutting back on what have commonly become known and vaguely defined as "frills" and "extras." Rather, there are school districts across the state facing the prospect of not being able ever to offer a subsistence level of education and services to the children in their schools. Not only will educational programs be cut back or eliminated, but there will be a great number of schools which will deteriorate physically into unsafe, unclean, and unhealthy facilities.

The funds are available at this time for adequate emergency relief, and I can think of no higher priority for the use of those funds. In terms of the entire state budget, the higher amount of relief I am asking the Legislature to appropriate is an insignificant sum. But in terms of affected school districts, the difference can be dramatic. Without question, the distribution of special levy relief in whatever amount should be concentrated on those districts which lost their special levies. It should also be noted that both houses at one point or other in the recently adjourned session approved special levy relief in amounts up to and exceeding \$100 million, but the final action produced considerably less.

The excellence of our public school system is widely recognized and contributes immeasurably to the high quality of life we are blessed with in this state. It would indeed be sad if this invaluable asset that has been developed over many years is depreciated in one session by the refusal to look beyond short term fiscal difficulties.

### 12. Local economic development grants.

On page 97, section 173, I have vetoed the item earmarking \$286,400 for proposed local economic development grants.

The Legislature apparently intends the amount set aside for this purpose to come partially from the elimination of the nuclear energy division in the Department of Commerce and Economic Development. I cannot accept at a time when development of energy sources

## JOURNAL OF THE HOUSE

could well be the most important factor in the future development of the state, the elimination of the one state program which addresses itself to energy needs for economic development. In keeping with the basic intent of the item I am vetoing, however, I will direct the Department to develop an operating plan within the limits of the agency's appropriation which will allow initiation of this pilot program of local economic development grants, without eliminating entirely the nuclear energy program.

### 13. Reallocation of personnel positions.

On page 112, I have vetoed section 189 which prohibits any agency from reallocating personnel board approved positions in a manner which would increase expenditures for salaries and wages.

Limitation of amounts that may be expended out of an agency's appropriation for salaries and wages is contrary to good management practice, and would severely hinder the ability to respond to changing conditions or program requirements not foreseen at the time the budget was prepared. Flexibility is often needed to meet new demands imposed by new federal regulations, state laws or changing economic conditions. It should remain the agency's prerogative to make such adjustments without violating legislative intent on program content.

### 14. Reduction in full time equivalent staff years.

On page 113, I have vetoed section 191 which requires all state agencies with the exception of educational institutions and the Legislature to have withheld from its fiscal year 1977 allotments an amount "not less than three percent of the funds available . . . for full-time equivalent staff years from appropriations contained in this act."

This language is unclear as to purpose and intent and easily subject to misinterpretation. For example, it could be read to mean that three percent of the full biennium FTE allowance would be withheld during the second year, which would mean six percent of the second year allotments. The language would also indicate conflict with legislative intent for the salary increase approved during the recently adjourned session. A three percent (or potential six percent) reduction in the funding available for FTE staff years could well result in lesser salary increases than were intended.

Whatever the intent of this section, I would suggest that the Legislature seek to accomplish it in a more flexible fashion and with greater uniformity in application.

### 15. Unanticipated receipts.

On page 114, I have vetoed section 195, which provides that unanticipated federal, state and local funds shall be used in lieu of appropriated state funds where possible, and that such unanticipated receipts shall not be spent without approval by the Legislative Budget Committee.

This section also provides that RCW 43.79.260 through 43.79.280 shall not apply to such unanticipated receipts. The referenced sections authorize the Governor to receive all funds from federal and other sources, and provide that state agencies and the Governor shall provide to the Legislative Budget Committee, and the Ways and Means Committees of both houses, copies of all proposals for such receipts and expenditures, and copies of all approvals by the Governor.

Earlier in this message, I outlined my reasons for objecting to prior approval required by the Legislative Budget Committee as it applied to funds received by the Planning and Community Affairs Agency in section 63, subsection (1) and (2). These same reasons apply here. I simply believe this kind of provision treads on questionable constitutional grounds. Moreover, no valid reasons have been cited to prove that the provisions of RCW 43.79.260-280 have not functioned satisfactorily.

With the exception of the foregoing sections and items which I have vetoed for the reasons stated, the remainder of Substitute House Bill No. 866 is approved.

Respectfully Submitted,  
Daniel J. Evans  
Governor

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

## JOURNAL OF THE HOUSE

I am returning herewith without my approval as to certain sections Substitute House Bill No. 867 entitled:

"AN ACT Relating to agricultural water supply facilities."

The intent of the bill, insofar as it sets out a general policy and limitations on the use of Referendum 27 funds for agricultural water supply facilities, is highly commendable. Until the present time, there has been no clear statutory delineation of how these funds are to be used. Furthermore, the establishment of specific criteria to determine project feasibility and relative priority of proposed projects is highly desirable.

Section 6 of the bill creates what is purported to be a technical "advisory" committee vested with wide-ranging policy-making responsibilities and substantive powers in regard to project criteria and selection, interest rates, repayment periods, and other matters. Although I have no objection to the creation of such a committee in an advisory capacity and do not doubt its potential value, I cannot accept the premise that the intent of the Legislature and the duties assigned to the department under the bill can be more effectively achieved through the division of responsibilities between the committee and the department. The delegation of substantive functions to a committee consisting of diverse and potentially conflicting interests may well delay and inhibit legislative directives and unduly complicate the achievement of the purposes of the bill. I believe the tasks can be performed more promptly and efficiently by the Department of Ecology, particularly to the extent that legislative intent is clearly defined and adequate staff funding provided. I would not hesitate to approve a bill containing sections substantially the same as herein vetoed but charging the department with the primary responsibility for administering the bill.

I further cannot accept the provisions of sections 2 and 8 which require the approval of the Ways and Means Committees of each house of financing arrangements and project criteria relating to the expenditure of Referendum 27 funds. As I have set out more fully in my veto message attached to Substitute House Bill No. 111 dated March 17, 1975, I believe these provisions constitute an encroachment into executive functions by legislative committees and further question whether this is a valid delegation of legislative power.

With the exception of sections 2, 4, 6, 7, 8, 9, 10, 11, 12, 13 and 15 which I have vetoed for the foregoing reasons, the remainder of Substitute House Bill No. 867 is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

June 3, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 988 entitled:

"AN ACT Relating to elections; providing for a presidential preference primary."

As indicated in the title, this bill provides that a presidential primary be held on the fourth Tuesday in May of each presidential election year. Under section 3 of the bill, the state central committee of either major party may, at its option, direct the Secretary of State to print on the ballots the names of candidates for election as delegates and alternate delegates to the party's national convention. I believe such a ballot would be so lengthy and confusing that the whole reason for the primary - to allow each voter to express his or her preference for the presidential nomination - would be distorted.

I find the bill even more objectionable because it is obviously tailored to enhance the prospects in this state of a single candidate in one year and for one election. I believe a presidential primary bill is a significant piece of legislation which should provide an opportunity for the citizens of this state not only to express their preference for the presidential nomination, but also to attract the attention of presidential candidates from the major parties to the issues of vital concern to our citizens. Such legislation must, however, be capable of fair application to all candidates, not only during the coming year, but for all future presidential election years. We should not be so short-sighted as to spoil legislation of such potential significance in order to benefit one candidate at one time.

For the foregoing reasons, I have determined to veto House Bill No. 988.

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Respectfully submitted,  
Daniel J. Evans  
Governor

For Veto Message on House Bill No. 1075, see page 1596.

July 2, 1975

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Substitute House Bill No. 1204 entitled:

"AN ACT Relating to honey."

This bill sets up some rigid labelling standards for the sale of products labeled as honey or containing honey.

Section 2 of the bill provides that a product "not in semblance of honey" and which contains honey is subject to labelling restrictions in the use of the word "honey." The section creates potential problems with the free flow in interstate commerce of products containing honey because of the new labelling standard and works against the intent of Substitute Senate Bill No. 2150 previously enacted by the Legislature and approved by me. A major purpose of that bill was to promote uniformity of this state's legislation and regulations on labelling with the federal Food, Drug and Cosmetic Act and regulations adopted thereunder. The free movement of out of state products in this state, including honey products, would be impeded by the requirements of section 2.

For the foregoing reasons, I have determined to veto section 2. With that exception, the remainder of the bill is approved.

Respectfully submitted,  
Daniel J. Evans  
Governor

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## SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
1. Kilbury: Authorizing irrigation districts to pay certain insurance premiums .....	10	182	209- 210, 211	260		523	536	537	Ch. 14 654
2. Kilbury: Decreasing the term length of mortgages or deeds on leasehold estates required for investments by insurance companies .....	11	83	116	122, 571, 1559		1558	1585	1611	Ch. 154 Ex. 1748
3. Kilbury: Prohibiting interference with the legislative process .....	11								
4. Kilbury: Reducing criminal juries to six persons; increasing fees for twelve person civil juries .....	11								
5. Kilbury, Boldt: Requiring continuing education for insurance brokers .....	11								
6. Kilbury, Boldt: Remitting fines levied in each superior court to the county to cover superior court expenses .....	11								
7. Kilbury, Gaines, Kuehnle, Valle: Exempting the sale of used mobile homes from the sales and use tax and imposing a one percent transfer tax .....	11								
8. Kilbury, Boldt: Conferring a conditional privilege to newsmen to protect confidential sources of information .....	11								
9. Kilbury: Increasing sheriff's civil fees .....	11	73	94,97 98	105, 572					

10. Kilbury, Boldt, Cochrane: Establishing open primary elections .....	11	351							
11. Kilbury: Providing for creation and reapportionment of city council districts .....	12								
12. Conner, Hendricks, Gaines, Bauer, Bausch, Bender, Ceccarelli, Fortson, Gallagher, Hurley (George), Kalich, Martinis, McCormick, North, Parker, Sherman, Smith (Edward), Smith (Rick), Valle, Moreau, Clemente, Cochrane, Savage, Kilbury, Haussler, Knowles, May, Laughlin, Schumaker, Hansey, Deccio, Barnes (by State Treasurer request): Changing Viet Nam veterans' bonus laws .....	12	1007, 1344	1589	1590, 1797	1796	1846	1864	Ch. 273 Ex. P.V.	
13. Conner, Becker, Moreau: Allowing the liquor board to issue licenses to charitable or nonprofit organizations which have officers or directors who are residents of a foreign country bordering on this state .....	12	220	242	261, 572					
14. Tilly, Bond, Schumaker: Permitting the use of personalized license plates on any vehicle ..	12								
15. Fischer, Jastad, Matthews: Extending special immunities to pharmacists .....	12	83	104	122, 572, 1387	1387	1422	1442	Ch. 114 Ex. 1628	
16. May, Warnke, Parker, Clemente: Revising appeal procedure from orders of the department of labor and industries .....	12	114	180, 183, 196, 208	223, 573, 1252	1251	1266	1280	Ch. 58 Ex. 1428	



23. Ehlers: Authorizing school district participation in voluntary nonprofit organizations regulating interschool activities, subject to certain conditions and state board of education rules .....	13	136	180	261, 573				
24. Erickson, Haley, Gallagher, Jueling: Permitting waiver of three year residency requirement for admission to the state soldiers' home .....	13	144	196					
24. (Substitute) Social and Health Services: Removing residency requirement for admission to the state soldiers' and veterans' homes .....			196	213	493	504	523	Ch. 13 640
25. Eng, Sherman, Hayner: Clarifying initiative and referendum ballots .....	13							
26. Eng: Authorizing board of dentistry to establish rules and regulations for testing of dentists from foreign countries .....	13		771, 784					
27. Eng, Maxie: Promoting minority business development .....	13		266, 1210		294			
28. Conner, Bauer, Bender, Ceccarelli, Eikenberry, Fischer, Fortson, Gaines, Gallagher, Hurley (George), Kalich, Luders, North, Parker, Wilson, Savage, Kilbury, Haussler, Knowles, Hansen, May, Laughlin: Exempting retired persons from property tax on first fifteen thousand dollars of value of their residence .....	13							

## SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
29. Shinpoch, Chatalas, Conner, Fortson, Gaines: Making the gambling commission independent of the department of motor vehicles .....	14	321	439						
29. (Substitute) State Government: Making the gambling commission independent of the department of motor vehicles .....			439	463, 573		1422	1440	1470	Vetoed
30. Conner; Hendricks, Martinis, Bauer, Bausch, Bender, Ceccarelli, Fischer, Fortson, Gallagher, Hurley (George), Kalich, McCormick, North, Parker, Sherman, Wojahn, Gaines, Moreau, Clemente, Cochrane, Savage, Kilbury, Haussler, Knowles, May, Laughlin: Establishing the department of veterans affairs .....	14								
31. Gallagher: Authorizing class A counties to participate in urban renewal .....	14	121	138	139		148	148	149	Ch. 3 171
32. Parker, Adams: Conforming state minimum wage laws to federal laws .....	14	145	183, 186						
			186, 196		209,				
			326	406-	1383-	1383,			
			330,	408,	1387,	1567,			
32. (Substitute) Labor: Conforming state mini- mum wage laws to federal laws .....			338-	574,	1733,	1732,			
			339	1779	1780	1778	1792	1801	Ch. 289 Ex.

33. Luders, Curtis, Eikenberry, Flanagan, Kuehne, Laughlin, Wilson, Nelson, Matthews, Hurley (Margaret), Knowles, Hansen: Providing for legislative review of agency rules .....	14	241		
34. Curtis, Blair, Freeman, Gilleland, Hansey, Leckenby, Paris: Changing the calculation formula for legislative retirement .....	14			
35. Kilbury, Martinis: Relating to geothermal resources .....	15			
36. Tilly, Blair, Haley: Changing the dates of Memorial Day and Veterans' Day for legal holiday purposes .....	15			
37. King, Fortson, Parker (by Committee on Constitution and Elections of the 43rd Legislature request): Setting forth dates special elections may be called and authorizing name for office of president and vice president to otherwise appear on ballot .....	15	54	90	
37. (Substitute) Constitution and Elections: Setting forth dates special elections may be called .....				95, 90 574
38. King, Bender, Erickson, Gaines (by Committee on Constitution and Elections of the 43rd Legislature request): Implementing law relating to recall of public officials .....	15	54	90	95, 574
39. Ehlers: Establishing provisions for the issuance, renewal and replacement of license plates for state, national and foreign entities .	15			
40. Eng, Adams, Parker, Ceccarelli, Maxie (by Committee on Social and Health Services of the 43rd Legislature request): Providing for health maintenance organizations .....	15	631	747	











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of crimes .....	18								
69. Wojahn, Fortson: Authorizing cities, towns and counties to adopt the state gambling law as part of their own laws and making it a misdemeanor to violate the rules and regulations of the commission .....	18								
70. Conner: Providing for licensing and taxing of movie and telecast showing of boxing and wrestling matches .....	18	1136							
71. Adams, Savage (by Committee on Social and Health Services of the 43rd Legislature request): Regulating acupuncture .....	19	145	279						
71. (Substitute) Social and Health Services: Regulating acupuncture .....			279		297, 575				
72. Sherman: Removing requirement that chairman and vice chairman of county central committees and state committee of each major political party be of opposite sexes ....	19	83	116		123, 576				
73. Sherman, Cochrane: Requiring poultry, turkey, food fish, shellfish, meat and meat food products to be labeled if they have been frozen .....	19	195	221						

73. (Substitute) Agriculture: Requiring poultry, turkey, food fish, shellfish, meat and meat food products to be labeled if they have been frozen .....			221	245	537	546	549	Ch. 39 694
74. Conner, Gaspard, Zimmerman: Designating Washington state association of sheriffs and police chiefs as coordinating agency among sheriff and police departments .....	19							
75. King, Chandler, Fortson, Lysen: Making changes in the laws relating to voter registration .....	19	351	952					
75. (Substitute) Constitution and Elections: Making changes in the laws relating to voter registration .....			952	1062				
76. Fortson, Lysen, Chandler, Erickson: Providing a deputy registrar in each public school .....	19	83	116, 121, 126	145, 576	116			
77. King, Brown, Chandler: Implementing the law relating to elections generally .....	19	177	210					
77. (Substitute) Constitution and Elections: Implementing the law relating to elections generally .....			210	237, 576				
78. Kilbury: Improving working conditions for railroad employees .....	19	970						
79. Flanagan, Berentson, Hansen, Kilbury, Leckenby, Newhouse, Bond: Exempting certain motor vehicles from motor freight carriers act .....	19							
80. Kilbury, Kuehne, Tilly: Requiring imposition of the death penalty in certain instances .	20	853			609			

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81. Barnes: Changing majority vote requirement for school districts when vote is to affirm use of excess levies for capital bond purposes .....	20								
82. Barnes, Bond: Authorizing community colleges to establish police forces .....	20								
83. Barnes, Bagnariol, Bond: Providing county guaranteed loans for payment of retired persons' property taxes .....	20								
84. Ehlers, Erickson, Gaspard, Laughlin, North, Pardini, Randall, Sherman, Smith (Rick), Gaiñes, Tilly, Barnes: Changing mobile home taxation laws to conform with laws applicable to conventional residential property .....	20								
85. Conner, Gaspard, Zimmerman: Providing for the regulation of private security services and private investigation services .....	20								
86. Randall: Exempting certain government contractors from the state sales tax .....	20	386	445						
86. (Substitute) Ways and Means - Revenue: Establishing sales tax liability for certain government contractors .....			445, 461, 481	488, 577	477	1349	1349	1391	Ch. 90 Ex. 1598

87. Laughlin, Amen, Kilbury, Bauer, Bausch, Haussler, Jastad, Kalich, Zimmerman: Revising regulations on control of noxious weeds . . .	21	183	243						
87. (Substitute) Agriculture: Revising regulations on control of noxious weeds . . . . .			243	269, 577, 892		888	932	948	Ch. 13 Ex. 1003
88. Hawkins, Fortson, Lysen: Permitting precinct committee persons to make nominations for legislative vacancies . . . . .	21	351	451						
88. (Substitute) Constitution and Elections: Permitting precinct committee persons to make nominations for legislative vacancies . . .			451						
89. Kilbury: Regulating salvage of food unfit for use by humans . . . . .	21	68	117	124, 577					
90. Randall, Smith (Rick), Berentson, Conner, Fortson, Leckenby: Declaring that fishing derbies are not gambling and removing them from regulation by the gambling commission .	21								
91. Fischer, Jastad, Wojahn (by Committee on Commerce of the 43rd Legislature request): Enacting a hazardous substance act . . . . .	22	50, 823	69,74, 1187		74				
91. (Substitute) Commerce: Enacting a hazardous substance act . . . . .			1187	1234					
92. Wojahn, Jueling, Curtis, Ceccarelli, Erickson, Gilleland (by Committee on Commerce of the 43rd Legislature request): Imposing liability for certain taking of merchandise . . . . .	22	74	94	105, 578, 1253		1252	1266	1280	Ch. 59 Ex. 1428
93. Haussler, Kalich, Paris: Requiring uniform jail standards . . . . .	22	416, 1081	505, 1288						

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93. (1st Substitute) Local Government: Requiring uniform jail standards .....			505		948				
93. (2nd Substitute) Local Government: Requiring uniform jail standards .....			1288	1288					
94. Kilbury, Charnley, Douthwaite: Including geothermal resources in the public domain ...	22	908							
95. Kilbury: Adding a new chapter which revises all statutes relating to eggs and egg production .....	22	50	69- 70,74- 76	95, 578, 1630	70, 1167, 1257	1160, 1257, 1574	1691	1716	Ch. 201 Ex.
96. Smith (Rick), Pardini, Sherman, Ehlers, Barnes: Repealing the Fair Trade Act .....	22	136	180	186, 578					
97. Smith (Rick), Clemente, Maxie: Providing for a program of public demonstrations of the breathalyzer .....	22								
98. Smith (Rick): Increasing the time period in which damage claims may be filed against a charter city .....	22								
99. Smith (Rick): Establishing requirements for lease of personal property .....	23								
100. Luders, Newhouse, Charette, Pardini, Martinis, Kilbury, Berentson, Ceccarelli, Hansey, Laughlin, Wilson, Matthews: Providing for bond financing of pollution control and industrial development .....	23	83	104		124, 415	415	435	442	Ch. 6 505



101. Randall, Gaines, Pardini: Removing requirement for physical examination of out-of-state vehicle prior to registration . . . . .	23								
102. Chatalas, Curtis, Shinpoch, Polk, Bagnariol, Flanagan, North, Randall (by Legislative Budget Committee request): Reconstituting purchasing and material control in state government . . . . .	32	231	339	408, 579, 1171, 1603	1603	1170, 1866	1193	1208	1602 Vetoed
103. Curtis, Shinpoch, Polk, Bond, Amen, Bagnariol, Flanagan, North (by Legislative Budget Committee request): Implementing law relating to operating and program performance of the community college system . .	32								
104. Shinpoch, Curtis, Bagnariol, Polk, Amen, Flanagan, North, Randall (by Legislative Budget Committee request): Restricting the power of state agencies to provide cars to employees . . . . .	32	177	210	223, 579		1124	1130	1145	Ch. 33 Ex. 1240
105. Shinpoch, Curtis, Bagnariol, Polk, Flanagan, North (by Legislative Budget Committee request): Transferring the state motor pool to the department of general administration . . . . .	32	177	210	224, 579, 1568		1568	1599	1601	Ch. 167 Ex. 1748
106. Chatalas, Curtis, Shinpoch, Polk, Bagnariol, North (by Legislative Budget Committee request): Abolishing the state administrative board . . . . .	33	145	210, 211- 213	224		537	546	549	Ch. 40 694

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107. Wojahn, Becker, Charnley, McCormick, Laughlin (by Committee on Commerce of the 43rd Legislature request): Enacting the prevention of choking act .....	33								
108. Patterson, Hansen (by Department of Motor Vehicles request): Increasing fee for duplicate license .....	33	1228				1589			
109. Patterson, Hansen (by Department of Motor Vehicles request): Increasing fee for driver examination .....	33								
110. Patterson, Hansen (by Department of Motor Vehicles request): Increasing fee for drivers' licenses .....	33								
111. Bagnariol, Pardini, Shinpoch, Flanagan, Randall (by Executive request): Adopting a supplemental budget .....	33	413	422						
111. (Substitute) Ways and Means - Appropriations: Adopting a supplemental budget .....			422- 434	444, 560		556- 560	564	567	Ch. 9 P.V.
112. Bauer, Brown, Clemente, Laughlin, McKibbin (by Superintendent of Public Instruction request): Abolishing the accumulated sick leave fund established in the office of the superintendent of public instruction ...	35	351	396	453, 580		1266	1285	1299	Ch. 60 Ex. 1428

113. Nelson: Establishing procedures and appeal of actions by boards of adjustment . . .	35								76
114. Sommers, Eikenberry, Randall, Brown, Zimmerman, North: Removing mandatory tuberculosis expenditure requirements . . . . .	35	386	445, 450	464, 580					56
115. Fortson, Parker, North, Hansen, Laughlin, Wojahn, McKibbin, Fischer, Wilson, Bender, Hanna, Seeberger: Providing for fixed residential property valuations for retired persons . . . . .	35								
116. Fortson, Parker, North, Laughlin, Patterson, Smith (Rick), McKibbin, Charnley, Fischer, Hanna, Seeberger: Increasing income limits for eligibility for retired persons' tax exemption . . . . .	36								
117. Perry, Berentson, Gilleland: Extending the reporting time for the study of transportation taxing . . . . .	36		36, 37	38, 91	91	91	94	106	Ch. 2 140
118. Berentson, Jastad, Gallagher, Laughlin, Gilleland (by Department of Motor Vehicles request): Prescribing unfair vehicle business practices of dealers and salesmen . . . . .	36	561	686						
118. (Substitute) Commerce: Prescribing unfair vehicle business practices of dealers and salesmen . . . . .			686	701					
119. Gallagher, Jastad, Leckenby, Laughlin (by Department of Motor Vehicles request): Exempting dealer or manufacture campers from licensing requirements under stated conditions . . . . .	36	266	340	398		537	546	549	Ch. 41 694



126. Hayner, May, Amen, Bond, Paris: Making it unlawful to display indecent material . . . . .	42	256	311						
126. (Substitute) Judiciary: Making it unlawful to display indecent material . . . . .			311	359, 580, 1560		1560	1585	1611	Ch. 156 Ex. 1748
127. Haussler: Increasing tax per television set in TV reception improvement districts . . . . .	42	121	179	187		505	515	535	Ch. 11 640
128. Martinis, Matthews, Clemente, Bond, Moreau, Conner, Smith (Rick) – by Department of Game request: Permitting game commission to issue elk tags by subspecies of animal or by geographic area . . . . .	42	278	388						
129. Haussler, Kilbury, Hansen, Fischer: Increasing hospital district commissioner's allowable compensation . . . . .	42	121	179	198		537	546	549	Ch. 42 694
130. Bagnariol, Shinpoch: Changing procedure for certifying small claims judgments . . . . .	42	115	139	146, 581		1193	1206	1224	Ch. 40 Ex. 1299
131. Bauer, Hendricks, Fortson, Laughlin, McKibbin: Requiring only that a school district make reasonable effort to maintain minimum term of school required by law in lieu of dissolution of such district . . . . .	42	137	180	198, 581, 1050	550– 551	550, 1049	1056	1080	Ch. 23 Ex. 1223
132. Martinis, Bauer, Hansey, Bausch, Kilbury, Conner, Matthews, Whiteside, Bond, Moreau, Clemente, Schumaker, Gaines, Laughlin, McCormick, McKibbin: Extending the use of personalized license plates to vehicles other than cars . . . . .	42	137	184		49				

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132. (Substitute) Natural Resources: Extending the use of personalized license plates to vehicles other than cars .....			184	199, 540		539	549	555	Ch. 59 793
133. Hayner, Haussler, McKibbin: Increasing dollar amount below which county may dispense with competitive bidding .....	42	304	354	409, 581	49, 146				
134. Boldt, Cochrane, Kilbury, Fischer: Authorizing certain union employees to be covered under public employees' retirement system ...	42				741				
135. Gaspard, Brown, Warnke, Randall (by Superintendent of Public Instruction request): Abolishing county committees on school district organization and substituting state hearing examiner within superintendent of public instruction's office to carry out former duties .....	43	206	257, 258						
136. Schumaker, Whiteside, Martinis, Clemente, Hurley (George), Hansey, Bond, Moreau, Smith (Rick), Tilly (by Department of Game request): Making it a crime for persons to permit their dogs to pursue, molest, or destroy game, animals, wildlife or birds ...	43	137							

137. Sommers, Zimmerman, Laughlin, Bauer: Providing that rental deposits shall earn interest .....	43								
138. Clemente, Brown, Warnke (by Superinten- dent of Public Instruction request): Including third class school districts within second class school district category and enlarging scope of first class district classification .....	43	137	196	214		537	546	549	Ch. 43 694
139. Martinis, Bausch, Clemente, Kilbury, Matthews, Schumaker, Hurley (George), Moreau, Hansey, Whiteside, Bond: Regulat- ing the sales of valuable material from public lands .....	44	104, 304	695, 729	739		1227	1238	1266	Ch. 52 Ex. 1309
140. Bagnariol, Becker, Charnley, Cochrane, Fischer, Hayner, Laughlin, Martinis, McCormick, McKibbin: Abolishing pay toi- lets and requiring certain places of public accommodation to have free public toilet facilities .....	44	351	445- 446	464, 581					
141. Haussler, Hansen, Kilbury, Laughlin, Tilly: Revising laws relating to theft of live- stock and adding civil penalty .....	44	68, 231	311	359, 582, 1266	56, 76, 1254	1253, 1266	1285	1299	Ch. 61 Ex. 1428
142. Hayner, Knowles, Eikenberry: Requiring that a copy of every adverse decision and order in administrative proceedings be trans- mitted to the party's attorney of record .....	45	115	139	146		505	515	535	Ch. 12 640
143. Erickson, Hawkins, Hayner, Adams, Haley, Laughlin: Making certain changes in the laws relating to nonpartisan elections and primaries .....	45	231	257						

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143. (Substitute) Constitution and Elections: Making certain changes in the laws relating to nonpartisan elections and primaries . . . . .			257						
144. Smith (Rick), Knowles, Hendricks: Requiring revocation of driver's license and privileges upon conviction for failure to render aid . . . . .	45	115	139, 179	358, 582, 1725		1725	1735	1749	Ch. 210 Ex.
145. Warnke, Bausch, Bauer, Charnley, Hendricks: Setting forth a program to pro- vide proper nutrition for school children. . . . .	45	1598	1613		1613				
146. Bausch, Warnke, Kilbury, Charnley, Gaines, Hanna, Hendricks: Increasing income limits for eligibility for retired per- sons' tax exemption . . . . .	45								
147. Bausch, Conner: Authorizing the depart- ment of labor and industries to insure employers against liability arising under Longshoremen's and Harbor Workers' Com- pensation Act . . . . .	45	145	185, 196		209				
148. Smith (Rick): Enacting a comprehensive criminal code . . . . .	45								
149. Luders, Zimmerman, Adams, Valle, Bauer: Regulating public water supply sys- tems . . . . .	52	552	952						





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Columbia and Snake rivers .....	53	256	340	398, 583					
157. Wojahn, Bender, Bagnariol, Gallagher, O'Brien, Fischer, Laughlin, Maxie, North: Enacting the automotive repair responsibility act .....	53								
158. Curtis, Charette, Schumaker, Kilbury, Tilly, Paris, Haussler, Savage, Conner, Hayner, Amen, Patterson, Thompson, Bauer: Authorizing second and third class school districts to provide housing for superintend- ents thereof and validating prior commit- ments therefor .....	53	278	446	464, 583, 1168		1167	1193	1208	Ch. 41 Ex. 1299
159. Thompson, Hendricks, Hanna: Restricting and regulating the sale of convict-made goods .....	53	177	197, 200	214		537	546	549	Ch. 44 694
160. Ceccarelli, Pardini, Bagnariol (by Depart- ment of General Administration, Division of Banking request): Fixing maximum maturity of certificates of deposit by mutual savings banks at six years .....	57	84	104	125		523	536	537	Ch. 15 654

161. Gallagher, May, Erickson, Seeberger, Hanna: Fixing liability of owner or operator of refrigerated food locker for destruction or spoilage and for loss due to theft . . . . .	57				68				
162. Seeberger, Hansen, Warnke, McKibbin, Gaines, Schumaker: Removing the require- ment that certain justices of the peace and district court judges be attorneys . . . . .	57	232	267- 268	283, 584		1682	1709	1716	Ch. 197 Ex.
163. Gallagher, Fortson, North: Removing requirement for continuing education for public accountants . . . . .	57								
164. Perry, Berentson, Martinis, Gilleland, Hansen, Patterson, McCormick, Ceccarelli, Clemente, Dunlap, Bender, Conner, Gaines: Creating a department of transportation . . . . .	57	232, 416	4 84						
164. (Substitute) Transportation and Utilities: Creating a department of transportation . . . . .			485- 486, 487- 488	496- 497, 584, 1827		1805	1858	1866	Vetoed
165. Zimmerman, May, Savage, Kraabel, McKibbin, Laughlin: Permitting surviving spouse who remarries to reinstate industrial insurance benefits under certain conditions . .	58								
166. Erickson, Kuehnle, Moon, Ehlers, Sommer, Hanna, Kilbury, Zimmerman, Gallagher: Permitting assessors of all coun- ties to require property owners to report val- uation data and prescribing effective dates . . .	58								
167. Bausch: Authorizing the establishment and operation of a municipal race track . . . . .	58	643							
168. Haussler, Douthwaite, Blair, Zimmerman, Lee, Laughlin, Valle, Erickson, Leckenby, Matthews, Sherman: Providing regulations and guidelines for land use planning . . . . .	59	351, 386							653

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169. Bausch, Valle, Warnke, Hendricks: Requiring safety standards for humidifiers and vaporizers .....	59								
170. McCormick, Leckenby, Bond, Gallagher, Laughlin: Providing an extension of time for tax exemption on use of propane in motor vehicles .....	59	292	354	412, 584		1281	1296	1315	Ch. 62 Ex. 1428
171. Hansen, Hayner, Clemente (by Depart- ment of Highways request): Prescribing motor vehicle gross weight limits .....	59	506	651	690, 1567	1169, 1257, 1419	1168, 1257, 1419	1599	1601	Ch. 168 Ex. 1748
172. Bagnariol, Curtis, Shinpoch, Polk (by Leg- islative Budget Committee request): Stan- dardizing the marking of public vehicles .....	59	256	311	412, 585, 1600	1256, 1419	1254, 1299, 1419	1607	1629	Ch. 169 Ex. 1748
173. Clemente, Gaspard, Hendricks: Requiring school board directors when making avail- able rules regarding pupil conduct, discipline and rights to spell out rights and authority of teachers .....	59	561	698	719, 1778	1549, 1630	1548, 1630, 1734, 1777	1792	1801	Ch. 254 Ex.
174. Nelson, Hansen, Lee (by Department of Highways request): Precluding the use of highway centerline as corporate boundaries ..	59	293	626	664		1843	1858	1866	Ch. 220 Ex.















ment or car dealer to recover price of articles upon discontinuance of contract by wholesaler or retail dealer .....	72	493	686						
211. (Substitute) Commerce: Entitling retail implement or car dealer to recover price of articles upon discontinuance of contract by wholesaler or retail dealer .....			686- 688, 697- 698, 729	739, 1756		1755	1777	1791	Ch. 277 Ex.
212. Jastad, Kalich, Haussler, Hendricks, Haley, Gallagher, Gaines: Changing the gambling laws relating to amusement games .	72	979	1188						
212. (Substitute) Commerce: Changing the gambling laws relating to amusement games .			1188- 1190	1190, 1563	1862	1560	1585	1611	Ch. 166 Ex. 1861 P.V.
213. Wilson, Martinis: Providing for per diem and expenses of members of county boards of equalization .....	72								
214. Martinis, Bagnariol: Providing basis for claims when hotel/motel reservations are cancelled .....	73								
215. Perry, Maxie, Hanna, Cochrane: Establishing the state office of ombudsman for corrections .....	73								
216. Conner, Gallagher, Gaines, Fortson, McCormick: Establishing a state lottery, subject to referendum .....	73								
217. Valle, Nelson, Thompson, Erickson, Curtis: Providing occupational therapy coverage under existing health insurance contracts .....	73	232	311						
217. (Substitute) Financial Institutions: Providing occupational therapy coverage under existing health insurance contracts .....			312- 322, 325,	399					

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			399, 401	401, 588	322, 400				
218. Gaspard, Bausch, Hendricks (by State Employees' Insurance Board request): Implementing law relating to the state employees' insurance board, including authorizing an added charge to premium contributions . . . . .	73	232	396	453, 588		1135	1145	1154	Ch. 38 Ex. 1265
219. Pardini, Charette, Curtis, Laughlin, Smith (Edward)— by OPP&FM request: Authorizing state general obligation bonds to fund community college capital projects previously approved by the legislature . . . . .	73	279, 1136	388, 1224		456				
219. (Substitute) Ways and Means – Appropriations: Authorizing state general obligation bonds to fund community college capital projects previously approved by the legislature . . . . .			1224	1224		1324	1333	1362	Ch. 65 Ex. 1428
220. Parker, May, Gaines, Kilbury, Adams, Gaspard: Requiring labor and industries to conduct railroad safety inspections relating to employees . . . . .	73	417	613						
220. (Substitute) Labor: Requiring labor and industries to conduct railroad safety inspections relating to employees . . . . .			613	622		1135	1145	1154	Vetoed

221. Warnke, Bausch: Revising laws relating to franchises .....	77								
222. Pardini, Polk, Thompson, Laughlin, Paris (by OPP&FM request): Authorizing state general obligation bonds to fund community college capital projects which may be approved by the legislature .....	77								
223. Dunlap, Barnes, Hendricks, Chandler (by Executive request): Establishing a telecommunications division in the department of general administration .....	77								
224. Luders, Kraabel, Chandler, Dunlap, Bond, Brown, Charnley, Hanna, McKibbin, Peterson, Randall (by Executive request): Establishing a wild, scenic or recreational river system .....	77								
225. Thompson, Zimmerman, Martinis, Hawkins: Changing the name of the department of game to the department of wildlife ..	78								
226. Charette, Smith (Rick) – by Statute Law Committee request: Appropriating funds for bill drafting and session law publication .....	78	169	185	185	435	435	442	Ch. 5 459	
227. Martinis, Luders, Conner, Bauer, Gaines: Providing for a state fisheries commission ....	78								
228. Hendricks, May, Haley, Freeman, Pardini, Polk, Eikenberry, Bauer, Becker, Bond, Charnley, Charette, Cochrane, Ehlers, Eng, Fortson, Gallagher, Hanna, Hansey, Leckenby, Lee, Savage, Sherman, Shinpoch, Tilly (by Executive request): Enacting the Washington formulary act .....	78	744	1324						



234. Luders, Kuehnle, Kilbury, Polk, Hendricks, Schumaker, Haley, Bond, Barnes, Deccio, Bauer, Curtis, Laughlin: Authorizing right of self defense without legal jeopardy and right to aid others in danger plus possible indemnity by state .....	79						
235. Gaspard, Haley: Permitting certain civil actions to be filed .....	79	293					
236. Warnke, Bausch: Restricting company operated service stations .....	79						
237. Conner, Savage, Eng: Providing regula- tions for the practice of naturopathy .....	79						
238. Parker, Bagnariol, Ceccarelli, Pardini, Paris, Barnes, Hendricks, Laughlin: Granting employees the right to continue payment of health insurance premiums when out on strike .....	79						
239. Ehlers, King, Thompson, Shipoch, Gaspard, Zimmerman, Bender, Clemente, Conner, Moon, Brown, Moreau, Wojahn, McCormick, Sherman, Williams, Erickson, Boldt, Hawkins, Bagnariol, Smith (Rick), Bauer, Savage, Haley, Charnley, Gaines, Hendricks, Laughlin: Protecting employee's insurance benefits .....	79	178, 460	197, 222, 626	209, 223			
239 (Substitute) Financial Institutions: Protect- ing employee's insurance benefits .....			644, 1390	626	1389	1422	1442
240. Gaspard, Freeman, Moon, Erickson, Dunlap: Requiring governmental agencies to furnish a sample and instructions with forms .	79						Ch. 117 Ex. 1628
241. Conner, Savage: Providing for review of charges and tariffs of Puget Sound toll							

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bridges .....	79								
242. Warnke, Haussler, Curtis, Wojahn (by Department of Motor Vehicles request): Revising real estate licenses and registration requirements .....	80								
243. Polk, Bagnariol, Eikenberry, Bauer, Dunlap, Fortson, Hanna, Laughlin, Leckenby, Matthews, Wilson: Providing retired persons' property tax relief in the year in which the claim is filed .....	80								
244. Polk, Bagnariol, Eikenberry, Dunlap, Fortson, Hanna, Laughlin, Leckenby, Matthews, Wilson: Authorizing certain residential property tax refunds for retired persons .....	80								
245. Charette, Moon, Smith (Edward), Randall: Prohibiting county assessors from engaging in private appraising .....	80	241	280	298, 589					
246. Thompson, Hayner, Adams, Eikenberry, Erickson, Curtis, Haley, Bond, Laughlin, Matthews, Paris, Randall: Requiring plaintiff in medical malpractice action to prove defendant failed to exercise standard of care of profession .....	80	684	729						



246. (Substitute) Judiciary: Requiring plaintiff in medical malpractice action to prove defendant failed to exercise standard of care of profession .....			729	740		1124	1130	1145	Ch. 35 Ex. 1240
247. Thompson, Hayner, Adams, Eikenberry, Erickson, Newhouse, Haley, Bond, Matthews, Paris: Limiting period during which medical malpractice actions can be brought to six years .....	80	736	986						
247. (Substitute) Judiciary: Limiting period during which medical malpractice actions can be brought to six years .....			986	1064					
248. Hanna, Peterson, Parker, Newhouse, Chatalas, Cochrane, Hawkins: Providing for the licensing of speech pathologists and audiologists.....	81								
249. Newhouse, Hansen, Patterson, Gilleland: Making certain changes in the laws relating to vehicle tonnage fees .....	81	386	484						
249. (Substitute) Transportation and Utilities: Making certain changes in the laws relating to vehicle tonnage fees .....				484, 589, 1186, 1679	1679	1186, 1866	1193	1208	Ch. 196 Ex. 1678 Vetoed Override
250. Conner, Hendricks, Hanna, Laughlin, Seeberger (by Superintendent of Public Instruction request): Changing certain school holidays to conform with state holidays .....	81								
251. Wojahn, Lee, McCormick, North, Shinpoch, Bagnariol, Perry, Maxie, Bauer, Erickson, Cochrane, Becker, Sommers, Sherman, Fortson, Valle, Charnley, Kilbury, Laughlin, Williams: Creating the Washington state women's council .....	81	266, 403	447- 448	472, 590	281				



259. Parker, Pardini, Fischer, Fortson, Bender, Hanna, Valle, Smith (Edward), North, Bauer, McCormick, Adams, Martinis, Gaines, Ehlers, Sherman, Erickson, Sommers, Tilly, Haley, Hansen, Cochrane, Hurley (George), Kilbury, Williams, Laughlin: Enacting the Washington Nofault Motor Vehicle Insurance Act .....	82			
260. Kuehnle, North, Bausch, May, Freeman, Ceccarelli, Charnley, Gaines, Hendricks (by Public Pension Commission request): Providing for cost of living increases in firemen and police pension benefits .....	92			
261. Knowles, Hayner, Maxie (by Judicial Council request): Requiring no fee when a relinquishment of parental rights is filed .....	92	232	269	284, 590
262. Knowles, Hayner, Eikenberry, Newhouse, Patterson (by Judicial Council request): Transferring assessment of punishment in municipal courts from jury to judge .....	92	232		
263. Knowles, Smith (Rick), Seeberger (by Judicial Council request): Permitting annual conference of superior court judges to be held in Canada or an adjoining state .....	92	241		
264. Knowles, Smith (Rick), Seeberger (by Judicial Council request): Requiring the clerk of district and municipal courts to collect and remit fees, costs, penalties, fines and forfeitures .....	92	233	269	285, 590
265. Warnke, Blair, Bagnariol (by OPP&FM request): Consolidating the appropriation process for support of teachers' retirement				

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benefits .....									Ch. 148 Ex. 1716
266. Randall, Pardini, Erickson (by Department of Revenue request): Pertaining to revenue and taxation .....	93	1007	1190	1191		1470	1517	1542	
	93	195	244	269, 591					
267. Randall, Pardini, Erickson (by Department of Revenue request): Pertaining to pollution control credits or exemptions .....	93	195	222	237, 591, 1555		1555	1585	1611	Ch. 158 Ex. 1748
268. Moon, Pardini, Randall, Charnley (by Department of Revenue request): Pertaining to appeals to the board of tax appeals .....	93	207, 436	236, 508- 509, 513	616- 617	236				
269. Shinpoch, McCormick: Permitting issuance of retail liquor license to alien who has applied for citizenship and who is married to United States citizen .....	93								
270. Barnes: Regulating the financing of political campaigns .....	93								
271. Sommers, Erickson (by Department of Revenue request): Altering the assessment procedures for telegraph company property and authorizing the board of tax appeals to value property that is denied exemption .....	93	195	234						246, 591

272. Erickson, Hansen, Brown, Sommers: Changing certain mandatory notice dates relating to evaluation and contracts of certifi- cated employees of school districts .....	93	387	405, 440- 444		982				
273. Conner, Eikenberry, Matthews: Revising the law relating to usury .....	94								
274. Parker, Gaines, Conner, Boldt, Charnley, Hanna, Laughlin, McKibbin, Seeberger: Pro- viding for admission and reduced fees for elderly, blind and disabled persons at state parks .....	100								
275. Conner, Tilly: Expanding the definition of "construction project" for PUD purposes .....	100								
276. Charette, Eikenberry, Conner, Curtis: Authorizing municipal corporations and political subdivisions to purchase liability insurance for their officers, agents and employees .....	100	304	354	413	523	536	537	Ch. 16 654	
277. Valle, Bender, Brown, Clemente, Sherman, North: Creating a licensing procedure for automotive repair dealers .....	100								
278. Sommers, Shipoch, Charnley, Kraabel, Matthews, North (by Department of Social and Health Services request): Providing for nursing home accounting systems .....	100	304	405	456, 592	1006, 1047, 1170, 1257	1005, 1047, 1170, 1257	1858	1866	Ch. 213 Ex.
279. Chatalas, Curtis, Parker, Eng, Hanna, Maxie (by Department of Social and Health Services request): Providing for support of adoption of hard to place children .....	100	267	340	400	523	536	537	Ch. 53 743	

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280. Shinpoch, Charnley, Douthwaite, Laughlin: Requiring display of gasoline octane numbers .....	100								
281. Parker, Kuehnle, Adams, Barnes (by Department of Social and Health Services request): Authorizing continuation of child welfare services to age twenty-one .....	101	207	257	271, 592					
282. Smith (Rick), Randall, Conner: Defining an employee of the Washington toll bridge authority to include toll collectors on the Hood Canal floating bridge .....	101								
283. Parker (by Department of Social and Health Services request): Defining the duties and qualifications of a superintendent of a public institution .....	101	781							
284. Hanna, Adams (by Department of Social and Health Services request): Authorizing increased payment for juvenile probation supervision .....	101	631	698	767- 768					
285. King, Jueling, Conner, Adams, Luders, Laughlin, Savage, Chandler, Blair, Chatalas, Haley, Charnley, Hanna: Providing for the designation of certain specified fire and police department positions as public employees. . . .	101	178	197, 285, 305- 307	285, 359- 360, 592	285, 360, 389				

286. Parker, Polk, Gaines, Deccio, Erickson, Fortson, McKibbin: Implementing the law relating to the recall of public officers . . . . .	101		
287. Kraabel, Freeman, Charnley, Dunlap, Hayner, Polk: Mandating keeping of record of voter and voting and posting thereof at each election precinct after specified date . . . .	101		
288. Maxie, Lee, Patterson (by OPP&FM request): Authorizing state general obligation bonds to fund acquisition, construction and equipping of certain buildings and facilities at state institutions of higher education . . . . .	101		
289. Kraabel, Sommers, Luders, Seeberger: Establishing a state presidential primary . . . . .	101		
290. Laughlin, Luders, O'Brien, Schumaker, Cochrane, Kilbury, Bauer, McKibbin, Flanagan, Hurley (Margaret), Boldt: Prohib- iting the use of gill nets and trammel nets in the Columbia River during certain months . . .	102		
291. Ceccarelli, Pardini, Fischer, McCormick: Regulating the transfer of control of banks and trust companies . . . . .	102	233	
292. Gallagher, Martinis, Erickson, Hansey: Amending laws on commercial trolling . . . . .	102		
293. Adams, Parker, Hayner, Hanna, Juelling (by Department of Social and Health Ser- vices request): Authorizing grants for law enforcement activities to counties where state institutions are located . . . . .	102	483	
294. Conner, Matthews, McCormick, Bauer, Ceccarelli, Gaspard, Laughlin: Making mis- cellaneous changes in credit union laws . . . . .	102	1115	1233

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294. (Substitute) Financial Institutions: Making miscellaneous changes in credit union laws . . .			1233	1233		1682	1691	1716	Ch. 222 Ex.
295. Ceccarelli, Pardini, Fischer, McCormick: Providing for, and regulation of, bank conservators . . . . .	102	233	313	398, 593		1349	1349	1391	Ch. 87 Ex. 1568
296. Sommers (by Department of Social and Health Services request): Increasing petty cash account limit . . . . .	102	723, 784, 884	1013						
296. (Substitute) State Government: Increasing petty cash account limit . . . . .			1013	1065					
297. Bauer, Laughlin, McKibbin, Zimmerman (by Department of Social and Health Services request): Providing for transportation of deaf and blind students . . . . .	102	207	257	271, 593					
298. Parker, Savage, Warnke: Defining rights and duties of public employees for collective bargaining . . . . .	103								
299. Parker, Savage, Warnke: Requiring binding arbitration in disputes between a public employer and an exclusive bargaining agent . . . . .	103								
300. Parker, Savage, Warnke: Adding services performed by classified employee for school district to unemployment coverage . . . . .	103	1136							



301. Hanna, Adams (by Department of Social and Health Services request): Authorizing additional leaves of absence for inmates of penal institutions .....	103	514	748, 789- 792, 798- 801					
302. Hanna (by Department of Social and Health Services request): Regulating the sale of, and compensation paid for, convict or prisoner-made goods, wares and merchandise .....	103							
303. Adams, Hayner, Parker, Hanna (by Department of Social and Health Services request): Authorizing department of social and health services to pay counties for special adult supervision programs .....	103	632, 685						
304. Ceccarelli, Pardini: Prohibiting certain mortgage reserve accounts .....	103	233	280	356- 357, 593				
305. Hansen, Patterson, Hurley (Margaret), Perry, Bender, Clemente, Chandler, Boldt, Fortson, Gaines, Gilleland, Laughlin, Lee: Staggering renewal date for motor vehicle registration .....	103	293	355	454- 455, 593, 1414	1410	1422	1442	Ch. 118 Ex. 1628
306. Charnley, Jueling, Warnke (by Department of Motor Vehicles request): Establishing annual fees for renewal of land development registration .....	107							
307. Douthwaite, Peterson, Blair, Patterson: Repealing prohibition against sale of liquor on the University of Washington campus .....	108	304	397	472, 594, 1311	1310	1323	1333	Ch. 68 Ex. 1469

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308. Parker, Newhouse, Fischer, Paris, Adams, Tilly, Fortson, Eng, Pardini, Cochrane, Conner, Bagnariol, Chatalas, May, Gallagher: Prescribing educational and professional requirements for the profession of optometry .....	108	709	748						
308. (Substitute) Social and Health Services: Prescribing educational and professional requirements for the profession of optometry .			748	768- 769, 1310		1309	1323	1333	Ch. 69 Ex. 1469
309. Knowles, Smith (Rick), Seeberger, Eikenberry: Providing for a uniform procedure for filing tort claims against governmental entities .....	108	417	713						
309. (Substitute) Judiciary: Providing for a uniform procedure for filing tort claims against governmental entities .....			713	713					
310. Chatalas, Curtis, Shinpoch, Polk (by Legislative Budget Committee request): Prescribing allocation of revenue from test fishing operation .....	108	304	405	456, 594, 1924	1171	1171, 1203, 1924	1974	1978	Ch. 223 Ex.
311. Tilly, Gaspard, Hayner, Knowles: Providing a reinstatement period for a corporation of three years .....	108	293	355	410, 594		1124	1130	1145	Ch. 36 Ex. 1240





mulated sickness, disability or emergency leave as service to an employer .....	110	736			
328. Ceccarelli, Pardini: Providing for regula- tion of form of insurance policies .....	110	736			
329. Polk, Charnley, Dunlap, Douthwaite: Establishing a motor vehicle safety inspection program .....	110				
330. Bagnariol, Pardini, Randall, Warnke, Shinpoeh, Charnley, Eng, Matthews, North: Exempting insulin and prosthetic devices from sales and use taxes .....	111	220	244, 247- 249	270, 595	
331. Sommers, Nelson, Randall, Erickson, Smith (Rick), Kraabel: Defining the term adopted child for inheritance tax purposes ...	111	221, 414	245, 499	499, 595	245
332. Martinis, Warnke: Increasing public utility tax on gas distribution companies .....	111				
333. Gaspard: Establishing a board and profes- sional qualifications for soil classifiers .....	111				
334. Conner, Matthews, Bagnariol: Authorizing holders of licenses issued by the gambling commission to engage in gambling activities throughout the state .....	111				
335. Charnley, Douthwaite, Cochrane: Facili- tating the destruction of unnecessary criminal records .....	111				
336. Hansey, Fortson, Berentson, Wilson: Requiring mandatory forfeiture of commerical fishing license of any person convicted twice in five years of violation of fishing regulations or laws .....	111				



342. Savage, North, Gilleland (by Department of Labor and Industries request): Revising laws relating to boiler inspections . . . . .	112	611	730					
342. (Substitute) Labor: Revising laws relating to boiler inspections . . . . .			730, 731	740				
343. Parker, Knowles, Adams (by Department of Social and Health Services request): Permitting proceedings relating to inmates of state prisons without reference to administrative procedure act . . . . .	112	483	627					
344. Savage, Thompson, North (by Department of Labor and Industries request): Prescribing changes in industrial insurance procedures . . .	112	417	730	741	1732	1735	1749	Ch.224 Ex.
345. Moreau, Erickson (by Department of Revenue request): Eliminating fee and changing excise tax registration certificate requirements . . . . .	113	233	326					
345. (Substitute) Ways and Means – Revenue: Eliminating fee and changing excise tax registration certificate requirements . . . . .			326	406, 596				
346. Bagnariol, Erickson, Randall (by Department of Revenue request): Pertaining to sales and use taxes . . . . .	113	437	500	644				
347. Douthwaite, Nelson: Amending laws relating to annexation of unincorporated areas . . . . .	113							
348. Conner, Brown, Chatalas, Erickson, Fortson, Gilleland, Hurley (George), Matthews, McCormick, North, Wilson, Wojahn: Mandating increased state funding of school districts to relieve district general								





commission" to "department of revenue" in various statutes .....	118	196	222	237, 597		1682	1691	1716	Ch. 278 Ex. P.V.
355. Moon: Requiring payment of insurance loss at full amount loss insured for .....	121								
356. Moon: Mandating insurance companies to pay interest on claims from date of occurrence triggering liability .....	121								
357. Conner: Permitting monthly license for certain types of dump trucks .....	128	387	485	617- 618, 1680	1679	1160	1193	1208	1679 Vetoed
358. Hansey, Berentson, Randall, Bond: Prescribing aircraft hazard zones .....	128								
359. Berentson, Hansey, Randall, Bond: Authorizing aeronautics commission to prescribe ratio for matching funds .....	128								
360. Kalich, Jastad: Making an emergency appropriation for the operation of the Puget Island Ferry for the remaining portion of the 1973-1975 biennium .....	128	506	544						
360. (Substitute) Transportation and Utilities: Making an emergency appropriation for the operation of the Puget Island Ferry for the remaining portion of the 1973-1975 biennium .....			544	545, 597					
361. Kalich, Jastad: Making an appropriation for the operation and maintenance of the Puget Island Ferry for the 1975-1977 biennium .....	128								



368. Shinpoch, Wojahn, Knowles: Creating a new system of district courts .....	129	
369. Flanagan, Shinpoch, Thompson, Perry, Pardini, Curtis, Polk, Hansey, Kuehnle, Amen, Bond, Dunlap, Freeman: Establishing a state salary policy on equality with private business .....	131	
370. Leckenby, Hansen, Kuehnle, Bond: Repealing provisions pertaining to wharfingers and warehousemen .....	132	
371. Leckenby, Hansen, Kuehnle, Bond: Repealing provisions pertaining to storage warehousemen .....	132	
372. Haussler, Laughlin, Paris: Recognizing state association of county officials separately for the purpose of receiving funds .....	132	337
373. O'Brien, Wojahn, Curtis, Berentson: Providing an exemption from annual inspection of boilers under specified conditions .....	132	267, 305
374. Gallagher, Leckenby, Randall, Berentson, Barnes, Bond, Laughlin: Exempting historical aircraft from use taxes .....	132	
375. O'Brien, Williams, Lysen, Gaines, Laughlin, Lee: Establishing a state heritage commission and providing for comprehensive, coordinated efforts towards preserving historic property .....	132	
376. Erickson, Hayner: Limiting attorney's fees and court costs in contractual actions against school districts by certificated employees to successful litigants .....	133	736



382. Kuehnle, Freeman, North, Matthews, Deccio, Chandler, Dunlap, Whiteside, Lee, Brown, Bond, Ehlers, Hansey, Patterson, Cochrane, Gilleland, Curtis, Tilly, Blair, Polk (by Executive request): Consolidating the administration of the various state retirement systems into a single department .....	135								
383. Randall, Brown, Luders: Permitting salaries to be set out in total amount under each budget class in a school district preliminary budget .....	135	632	714	714		1682	1691	1717	Ch.202 Ex.
384. Hanna, Maxie: Extending power of local governments .....	135					1005,1057,			
385. Kilbury, Tilly, Becker, Hansen: Increasing the assessment per head on cattle .....	141	233	258	272, 598, 1283	1005, 1057, 1228	1116, 1227, 1283	1296	1315	Ch. 93 Ex. 1610
386. Hanna (by Department of Social and Health Services request): Prescribing a modification for minimum terms for furlough .....	141								
387. Bagnariol, Flanagan, Curtis, Bausch (by Department of Employment Security request): Making an appropriation for employment security department .....	141								
388. Deccio, Flanagan, Kilbury, Hawkins, Nelson, Whiteside, Dunlap, Bond, Eng: Permitting the sheriff to determine the method of serving papers .....	141	418	614	623, 1416		1415	1422	1442	Ch. 119 Ex. 1628
389. Charnley, Newhouse, King: Exempting certain nongovernmental educational institutions from certain provisions of the unemployment compensation law .....	141	419	714						

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389. (Substitute) Labor: Exempting certain nongovernmental educational institutions from certain provisions of the unemployment compensation law .....			714	714		1266	1285	1299	Ch. 67 Ex. 1441
390. Leckenby, Conner, Kilbury: Permitting riparian owners to run heavy machinery in stream beds to prevent erosion .....	141								
391. Lysen, Gaines, Williams, Moon, Sherman, Douthwaite, Seeberger: Exempting food from sales tax .....	141								
392. Perry, Nelson, Charette, Smith (Edward): Implementing law relating to community colleges .....	141								
393. Smith (Rick), Pardini, Wojahn, Hanna (by Department of Employment Security request): Modernizing language referring to mentally incompetent persons .....	141	419	614	664					
394. Bond, Douthwaite: Deleting requirement for motorcycle riders to wear helmets ..	142								
395. Charnley, Brown, Chatalas, Pardini, Wojahn, Chandler, Hawkins, Sherman, Williams, Haley, Matthews, Hansen, Perry, McCormick, Bender, Savage, Adams, Parker, Wilson, Dunlap: Providing an anatomical gift form on each driver's license .....	142	395	447						

395. (Substitute) Social and Health Services: Providing an anatomical gift form on each driver's license .....							Ch. 54 743
		447	473	537	546	549	
396. Bausch, Blair, Savage, Parker, Hawkins, Clemente, Bender, Lysen, Zimmerman, Paris, Haley, McKibbin. Laughlin: Establishing a wage claim trust fund for payment of valid wage claims .....	142	755					
397. Cochrane: Specifying form of notice and result of election for change of location of county seat .....	142	419	688	719			
398. Gaines, Lysen, Gallagher, Boldt, Martinis, Fortson, Warnke: Providing regulations for insurance companies and adjusters.....	142						
399. Zimmerman, Luders, Bauer, Thompson, Paris, McKibbin, Laughlin: Establishing membership and objectives of Columbia River Gorge Commission .....	143						
400. Randall, Smith (Rick), Savage: Prescribing a moratorium on commercial bottom fishing in specified Puget Sound waters .....	143						
401. Paris, Shipoch, Chandler, Adams, Parker, Fortson, Bond, Hendricks: Adding new pro- visions to laws relating to burial .....	143	542	627				
401. (Substitute) Social and Health Services: Adding new provisions to laws relating to burial .....			627, 648, 649	691			
402. Wilson, Martinis: Requiring departments of fisheries and game to promulgate rules and regulations jointly in areas they exercise con- current jurisdiction .....	143						



















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supply bonds .....									Ch. 18 654
457. King, Savage, McKibbin, Becker, Moreau, May, Hanna: Enacting a state labor-man- agement relations act .....	176	321	405	456		523	536	537	
457. (Substitute) Labor: Enacting a state labor- management relations act .....	176	352	438, 1000						
458. Valle, Pardini, Thompson (by Executive request): Amending laws on fees and permits for water use .....	176		1000- 1002	1055					
459. Tilly, Hurley (Margaret), Wilson, Kilbury, Schumaker, Curtis: Fixing mandatory mini- mum sentences for certain crimes .....	176								
460. Hurley (Margaret), Gaines, Knowles, Luders, May, McCormick, Kuehnle, Pardini, Schumaker, Haussler, Bond: Amending laws relating to snowmobiles .....	176	267, 756, 1155	1305		294, 741				
461. Clemente, Haussler, Moon, Flanagan, Martinis, King: Authorizing public utility districts to collect local improvement assess- ments for operation and maintenance of street lights and other services .....	176	305	389	452		537	546	549	Ch. 46 695



462. Flanagan, Amen, Hansen, Kilbury, Newhouse, Curtis, Tilly: Exempting irrigation systems from shorelines management . . . . .	176	552	660					
462. (Substitute) Ecology: Exempting irrigation systems from shorelines management . . . . .			661, 662, 689	718				
463. Erickson, Kraabel, Kalich: Requiring the utilization of an approved bicycle safety flag .	176							
464. Conner, Hansey, Savage: Authorizing the aeronautics commission to provide assistance to certain Indian tribes . . . . .	176	756	955	960, 1550	1550	1585	1611	Ch. 161 Ex. 1749
465. Hansen, Conner, Patterson: Raising fees for vehicle license applications . . . . .	182							
466. Charette: Permitting driving on beaches where access roads are farther than one half mile apart . . . . .	189							
467. McKibbin, King, Seeberger, Brown, Bauer, Chandler, Moreau, Hawkins: Regulating use of candidates' picture in political advertising . . . . .	189	352	714- 715, 729	757, 1569	1569	1599	1601	Ch. 162 Ex. 1749
468. Parker, Bagnariol, Shipoch, Sommers: Abolishing the state armory fund and directing revenue to state general fund . . . . .	189	419	486	498, 599	1362	1391	1422	Ch. 121 Ex. 1628
469. Charette, Hayner: Authorizing personal service under the long arm statute for matters relating to the support of children and spouses . . . . .	189							

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470. Amen, Nelson, Patterson, Hayner, Hansen, Zimmerman, May, Curtis, Lee: Providing for renewal of property tax exemption applications every four years or upon change in use of property .....	189								
471. Parker, Wojahn, Jueling, Fischer, Fortson: Imposing business and occupation tax limitations upon cities and towns .....	190								
472. Hendricks, Bausch, Savage, Conner: Appropriating funds for completion of Evergreen parkway .....	190								
473. Freeman, Conner, May, Schumaker, Lee, Dunlap, Paris, Curtis, Barnes, Bond, Whiteside, Patterson, Nelson, Matthews, Kuehnle, Chandler, Berentson, Hayner, Hansey, Wilson, Haley, Deccio, Amen, Hendricks (by Executive request): Controlling excessive state publications .....	190								
474. Charette: Authorizing cities to provide ambulance services and impose taxes for the support thereof .....	190	403	461	461, 599, 1044		1043	1050	1080	Ch. 24 Ex. 1223
475. Bagnariol, Gaines: Amending state higher education personnel law to allow participation of director of the office of program planning and fiscal management on items having financial impact .....	190	524	715	715, 1417	194	1416	1422	1442	Ch. 122 Ex. 1628

476. Hendricks, Bausch, Paris, Zimmerman: Allowing public employees and higher education personnel certain costs incident to reinstatement to job after appeal thereon to court .....	190								
477. Laughlin, Hendricks, Paris: Providing for enforcement of civil service personnel provisions for public employees of the state and institutions of higher education .....	190								
478. Haley, Eng, Sommers, Cochrane, Brown: Providing for referendum on mandatory fluoridation of public water supplies .....	190								
479. Parker, Eikenberry, Charette, Douthwaite, Leckenby, North, Paris: Relating to qualifications of jurors .....	191	437	615						
479. (Substitute) Judiciary: Relating to qualifications of jurors .....						1569, 1610	1622	1629	Ch. 203 Ex.
480. Savage, Conner, Freeman, Wojahn, Matthews, Haley, McKibbin, King, May, Cochrane: Creating the department of labor and industries revolving fund .....	191	514	651	699, 1417		1417	1422	1442	Ch. 123 Ex. 1628
481. Maxie, Savage, McKibbin, King, Cochrane, Bausch, Eng: Prescribing requirements for working conditions for domestic and household employees .....	191								
482. Tilly, Laughlin: Requiring public agencies that miss two regular meetings to give public notice until schedule is reestablished .....	191								

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483. Shinpoch, Polk, Bagnariol, Dunlap: Implementing further consolidation of state automated data processing facilities . . . . .	191	685	987						
483. (Substitute) State Government: Imple- menting further consolidation of state auto- mated data processing facilities . . . . .			987	1159	1849, 1915	1849, 1915			
484. Maxie, Smith (Rick), Knowles, Eikenberry, North: Authorizing superior court judges in class AA counties to transfer to the county the administration of juvenile program . . . . .	191	643	951						
484. (Substitute) Judiciary: Authorizing supe- rior court judges in class AA counties to transfer to the county the administration of juvenile program . . . . .			951	982, 1418		1418	1422	1442	Ch. 124 Ex. 1628
485. Haley, Polk, Curtis, Barnes, Nelson, Leckenby, Berentson, Gilleland, Matthews, Hansey, Haussler, Hendricks, Wilson, Paris, Kuehnl: Changing the laws relating to industrial insurance . . . . .	191								
486. Berentson, Thompson, Hansey, Gallagher: Authorizing state support for certain county ferries . . . . .	191	507	553	608		993	1020	1050	Ch. 21 Ex. 1135

487. Conner, Parker, Perry, Wojahn, Adams, Hanna, Valle, Maxie, Eng: Changing the board of prison terms and paroles .....	192	737	746		
488. Boldt, Hawkins, Clemente, Blair, Kilbury: Requiring proof of licensure of subcontractors as a condition for issuing building permits .....	192				
489. Charnley, Brown, King: Establishing time limits for filing of local referendum petitions .	192				
490. Gaines, Randall: Amending law on liability of landowners where recreational .....	192	746	955	961	
491. Warnke, Bausch, Gilleland: Prescribing a change in retained percentage procedures on public works contracts .....	192	543	689	704	313
492. Chatalas, Newhouse, Thompson, Zimmerman, Matthews: Creating credit union share guaranty association .....	192				
493. Zimmerman, Luders, Brown, Hawkins, Chandler, Lee (by Executive request): Providing for a resource recovery program .....	193	950, 971			
494. Warnke, Bausch, O'Brien, Bauer: Setting out standards for administration of medication to common school pupils and providing superintendent of public instruction recommend ratio of pupils to registered full-time school nurse .....	193	737	991		
494. (Substitute) Education: Setting out standards for administration of medication to common school pupils and providing superintendent of public instruction recommend ratio of pupils to registered full-time school nurse .....			991	1067	



501. Charnley, Laughlin, Douthwaite, Becker, Sherman, Ehlers, Lee: Permitting the highway commission to erect roadside area information panels . . . . .	202
502. Hawkins, Blair, Sommers, Lee, Becker, Peterson, Charnley (by Executive request): Establishing land sales excise tax . . . . .	202
503. Haussler, Pardini, May: Permitting investment of excess city funds in LID interim financing warrants . . . . .	203
504. Randall, Erickson, Hawkins: Permitting property tax revenues to increase at the percentage increase in the consumer price index . . . . .	203
505. Thompson, Curtis: Authorizing collective bargaining rights for certain employees of state system of community colleges . . . . .	203
506. Charnley, Zimmerman, Thompson: Changing license requirements for well drillers . . . . .	203
507. Newhouse, Pardini, Kilbury, Randall, Kuehnle: Permitting discounts on liquor to any licensee . . . . .	203
508. Parker, Ceccarelli, Fischer, Lysen, Adams, Fortson: Requiring health insurance coverage for certain rehabilitative services . . . . .	203
509. Parker, Smith (Rick), Barnes, Seeberger, Haley: Permitting arrest and issuance of traffic citation on probable cause at the scene of a motor vehicle accident . . . . .	203
510. Kuehnle, Kilbury, Newhouse: Pertaining to cigarette and tobacco excise taxes . . . . .	203





adjustment of workmen's compensation pay- ments .....	216	419, 493			
518. Wojahn, Freeman, Adams, McCormick, Perry, Savage, Parker, Bauer, Patterson, Erickson, Jastad, Maxie, Moreau, Haley, Newhouse: Establishing procedure to license United States residents who graduate from foreign medical schools .....	216				
519. Pardini, Randall, Hawkins, Gilleland: Per- taining to local business and occupation taxes .....	216	1058	1274	1275	
520. Ceccarelli, Wilson, Bagnariol, Laughlin: Prohibiting the arbitrary cancellation of health insurance of a person needing extended care and treatment .....	217				
521. Charnley, Eikenberry, Wojahn, Sommers, Haley, Hendricks, Knowles, Kilbury, Hurley (George), Cochrane: Making housing cooper- ative units eligible for the retired persons' property tax exemption .....	217	710	991	1068	
522. Hansen, North, Fortson, Bender: Setting a minimum daily payment for state employees using their private autos .....	217				
523. Hayner, Kilbury: Requiring counties to pay salary and expenses of stream patrolmen.	217	387	661	699	227
524. Parker, Fortson, Becker: Requiring notifi- cation of property taxes due to the person making payments .....	217				
525. Bond, Conner, Haussler, Barnes, Dunlap, Tilly, Paris, Matthews: Prohibiting the sale of intoxicating liquors on the grounds of any college, university, or community college					

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supported in whole or in part by state funds .	217								
526. Fortson, Brown, McKibbin (by Superin- tendent of Public Instruction request): Giving added responsibility and authority to inter- mediate school districts .....	217	762	1012, 1014	1068					
527. Smith (Rick), Fortson, Becker, Sommers, Gaspard, Hawkins, North, Wilson, Berentson, Chandler, Charnley, Dunlap, Hansey, Leckenby, Sherman: Requiring pilots and other precautions for tankers entering Puget Sound .....	217	414	615						
527. (Substitute) Transportation and Utilities: Requiring pilots and other precautions for tankers entering Puget Sound .....			615	624, 1382		1381	1422	1442	Ch. 125 Ex. 1627 P.V.
528. Wojahn, Maxie, McCormick, Curtis, Adams, Martinis, Wilson: Enacting the con- sumer cost evaluation act of 1975 .....	217								
529. Hurley (George), May, Gallagher, Becker, Clemente, Perry, Bausch, King, Wilson, Bender: Permitting persons to work more than nine hours in a twenty-four hour period under certain circumstances .....	218								
530. Haussler, Kilbury: Amending laws relating to irrigation districts .....	218	612	716	716, 1551	227	1550	1585	1611	Ch. 163 Ex. 1749



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539. Fischer, Clemente, Bender, Hurley (Margaret): Providing for the licensing and operation of a jitney mass transportation system.....	228								
540. Sommers, Brown, Kilbury, Peterson, Charnley, Gaines, Valle, Hawkins (by Executive request): Creating a state energy office ..	228								
541. McCormick, Maxie, Fortson: Exempting fuel heating oil for senior citizens from sales tax and imposing luxury tax on tapes and records .....	228								
542. Adams, Wojahn, Fischer, Freeman, Laughlin, May: Creating a board to regulate and license the practice of massage .....	229	710							
543. Fortson, Fischer, Clemente, Sherman: Creating Cascade County .....	229								
544. Perry, Zimmerman, Kilbury: Clarifying the powers of joint operating agencies (power commission) .....	229	388	648	700		1124	1130	1145	Ch. 37 Ex. 1240
545. King, Sherman, Barnes, Hawkins, Cochrane: Changing method of constituting state and local committees of major political parties .....	229	294	451						
545. (Substitute) Constitution and Elections: Changing method of constituting state and local committees of major political parties ...			451- 452						

546. Parker, Bausch, Warnke: Providing for exemption from licensing requirements of plumbers working for state political subdivisions .....	229		
547. Ceccarelli, Kuehnle, Gilleland, Chatalas, Bagnariol, Blair, Shipoch, Charnley, Bender, King, Lee: Placing two retired teachers on the teachers' retirement system board of trustees .....	229		231
548. Wilson, King, Chandler, Martinis, Charnley, Hanna: Authorizing a county program of rental support for elderly, poor and infirm persons .....	229		
549. Parker, Haley, Hanna, Zimmerman, Bauer, Ceccarelli, Chatalas, Laughlin, North, Valle (by Executive request): Enacting the Washington Catastrophic Health Care Protection Act .....	229		238
550. Wilson, Conner, Nelson, Luders, Barnes, Fortson, Gilleland, Hansen, Matthews, North: Compensating property owners for value reductions caused by restrictions imposed by the shoreland management act of 1971 .....	229		
551. Perry, Kilbury, Flanagan, Haley, Charnley, Hawkins (by Executive request): Enacting emergency energy powers .....	229		
552. Thompson, Polk, Blair, Sommers, Kilbury, Tilly, Berentson, Hawkins (by Executive request): Requiring certification of major energy facilities .....	230	1224	1246



559. Perry, Chandler, Sommers, Blair, Charnley, Douthwaite, Paris, Lee, Becker, Ceccarelli, Fortson, Hawkins (by Executive request): Regulating petroleum transfer . . . . .	230								
560. Moon, Shinpoch, Hawkins, Chandler, Charnley, Newhouse: Providing where interest on judgment not otherwise provided for in contract, may be from date damages incurred by party awarded judgment . . . . .	231								
561. Bagnariol, Polk, McCormick: Permitting wine and beer in specified amounts to be brought into the state from foreign countries without duty . . . . .	240	612	747, 773	786, 1854		1854	1865	1916	Ch. 256 Ex.
562. Charnley, Blair, Hawkins, Chandler, Douthwaite, Dunlap, Luders, Sherman, Ceccarelli, Randall: Authorizing the designation of wild, scenic and recreational rivers . . .	250				255				
563. Charnley, Brown, King, Hawkins: Instructing absentee voters on write-in procedure . . . . .	250	321	651	704					
564. Charette, Ceccarelli: Making provision for the disposal of surplus salmon by the department of fisheries . . . . .	250								
565. Parker, Savage: Prescribing changes in unemployment compensation laws . . . . .	250								
566. Randall, Smith (Rick), Kuehnle, North, Tilly: Exempting inventory of sheltered workshops from property taxation . . . . .	251								
567. Parker, Fischer: Prescribing individuals with authority to give permission for autopsies and post mortems . . . . .	251								





575. Wojahn, Curtis, Warnke: Permitting embargo of hazardous household substances .	251	813	1012	1068				
576. Parker, Conner, Erickson: Exempting part of military retirement income from calculation of retired persons' property tax exemption income qualification . . . . .	252							
577. Boldt, Dunlap, Hawkins, Kalich, Haley, Kilbury, Seeberger, McKibbin, Bauer, Hanna, Moreau, Freeman, Douthwaite: Prescribing penalty for false information at legislative hearing . . . . .	252							
578. Bauer, Brown, Bender, Fortson, Clemente, McKibbin, Seeberger: Adding restriction on the distribution of state aid to school districts on basis of ratio of pupils per classroom teacher . . . . .	252	543	649-650	731	1732	1735	1749	Ch. 211 Ex.
579. Luders, Schumaker, Chandler, Seeberger, Gaines, May, Gaspard, Freeman, Bond, North: Banning the hunting of bear with dogs . . . . .	252							
580. Berentson, Fortson, Hansey, Hansen, North, Curtis, Wilson: Prescribing conditions for review of a denial of a shoreline management permit . . . . .	252							
581. Fortson, Fischer, North: Requiring challenges to a candidate for nonresidency to be filed within a specified period . . . . .	252	908						
582. Fortson, Hawkins, Barnes: Providing for cross-check by inspector of precinct where voting devices used by recorded voters by precinct list and in unofficial returns . . . . .	252	322						

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583. Bauer: Authorizing payment of legal defense and judgments for certain educational agency staff and agents acting in line of duty .....	252	632	952						
584. Brown, Valle, Charnley: Establishing renewal of certain motor vehicle licenses on the owners birthday and requiring insurance and inspection .....	252								
585. Brown, Gaspard: Revising laws on filiation proceedings and enacting the uniform parentage act .....	253								
586. Thompson, Charette, Parker, Conner, Kilbury, Moreau, Clemente, Bauer, Bausch, King, Cochrane, Becker, Savage, Martinis, Moon, Laughlin, Zimmerman: Establishing minimum standards for industrial insurance self-insurers .....	253	561					760		
587. Ceccarelli, Berentson, Perry, Chatalas, Leckenby: Providing for creation of West Seattle access development commission .....	253	490	509, 533- 535	608, 1851	1558	1557, 1735, 1798, 1849	1865	1916	Ch. 267 Ex.
588. Warnke, Blair: Making provisions for members of more than one retirement system .....	253								
589. King: Making agricultural labor subject to unemployment compensation .....	253	1228							





602. Clemente, Warnke, Savage, King, Moon, Kilbury, Lysen, Bauer, Hurley (George), Wojahn, Maxie, Williams, Charnley, Douthwaite, Boldt, Gaines, Jastad, Kalich, Fischer, Eng, Laughlin, Sherman: Prohibiting payment of employment agency fees by applicants .....	263								
603. Moreau, McKibbin, Becker, Charnley, Douthwaite, Boldt, Warnke, Ceccarelli, Hanna, Laughlin: Prohibiting termination of utility service to persons sixty-five or older without opportunity for hearing .....	263								
604. Ceccarelli, King, McCormick, Martinis, Gaspard, Parker, Adams, Chatalas, Wojahn, Kalich, Blair, Eikenberry, Jueling, Jastad: Prohibiting bank giveaway inducements .....	264								
605. McCormick, Wojahn, Kalich, Warnke, Fortson, Hansen, North, Smith (Edward), Fischer, Gaines, Jastad, Gallagher, Savage, May: Establishing the Washington Bazaar ...	264								
606. Ceccarelli, Warnke, Kalich, Curtis: Permitting young adults to work in class H premises .....	264	632	952	961	1629	1691	1717	Ch. 204 Ex.	
607. Williams, Martinis, Blair, Charnley, Lysen, Peterson, Douthwaite, Chandler, Valle: Requiring the department of general administration to purchase recycled materials .....	264								
608. Fischer: Prescribing changes in uniform controlled substances act .....	264								
609. Hanna, Becker, Freeman, Cochrane, Ceccarelli, Moreau, Erickson: Licensing and regulating social workers .....	264								

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610. Erickson, Nelson, Randall: Mandating additional guarantee of state funds for school districts authorizing excess levies .....	264	544							
611. O'Brien, Sommers, Blair, Bausch, Haussler, Douthwaite, Warnke, Erickson, Leckenby, Jastad, Ceccarelli: Providing for regional port districts .....	264	723	1199						
612. Gallagher, Deccio, Wojahn: Revising laws relating to accountants .....	264	823	1013	1069, 1852	1722	1722, 1781, 1851	1865	1978	Ch. 229 Ex.
613. Shinpoch, Curtis: Providing for a state ombudsman .....	265								
614. Martinis, Moreau: Prohibiting use of headphones while driving .....	265								
615. Hawkins, Brown, Erickson, Sherman, Gaspard, Gallagher, Hanna, Wojahn, Jueling, Adams, Haley, Chandler, Ehlers, Parker, Cochrane, Charette: Mandating compliance by all county auditors with certain election data storage provisions .....	265								
616. Erickson, Randall, Moreau: Revising property tax exemption .....	265								
617. Peterson, Charnley, Wilson, Lee: Establishing procedures for voluntary registration of bicycles .....	265								

618. Shinpoch, Curtis, Bagnariol: Creating committee to aid superintendent of public instruction in initial regionalization and merging of data processing resources in the common schools .....	265							
619. Bagnariol, Perry, Nelson, Wojahn, Moreau, Bond, Peterson, Charnley, Patterson, Clemente, Savage: Mandating availability of materials on abuses of alcohol in public premises where sold or consumed on campuses of institutions of higher education .....	275	420	615	625, 1554	1553	1585	1611	Ch. 164 Ex. 1749
620. Maxie: Authorizing certain supplemental payment survivors option under state universities retirement plans when employee otherwise eligible but died without exercising option .....	275	420, 480, 1007	1199	1200	1717	1734	1749	Ch. 212 Ex.
621. Warnke, Wojahn, Gaines, Hansen: Requiring estimates from automobile repair shops .....	275							
622. McCormick, Warnke, Jastad, Bausch, Gaines, Wojahn, Kilbury, Hansen, Gallagher: Authorizing gaming in one geographical area of the state .....	275							
623. Bagnariol, Sommers, Hendricks: Permitting departmental post-audits at reasonable intervals .....	275	1008	1275	1275				
624. Randall, Pardini, Kilbury: Defining "regular property tax levies" for port district purposes .....	276	958		1276- 1278, 1283- 1285				

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625. Charette: Regulating county property tax revenue distribution .....	276								
626. Charette, Knowles, Eikenberry, Hanna, McCormick, Smith (Rick): Regulating judicial salaries .....	276	784							
627. McKibbin, Whiteside, Savage: Implementing law relating to certain student transfer within the common schools and state apportionment credit therefor .....	276	604	698	732		1281	1296	1315	Ch. 66 Ex. 1428
628. Bauer, Newhouse: Providing for periodic adoption of a state comprehensive plan on school district organization by state board of education and for use thereof .....	276	994							
629. Thompson, Flanagan, Hansen, Adams: Providing for the funding of fire protection services rendered to facilities of municipal corporations .....	276								
630. Hansey, Randall, Berentson, Luders, Matthews, Moreau, Lee, Bond, Barnes: Authorizing refunds of state sales tax on portion of price paid on motor vehicles attributable to rebates received .....	276								
631. King, Brown, Fortson, Sherman, Erickson: Providing for date absentee ballots considered voted when postmark missing or illegible .....	276	322	618						



631. (Substitute) Constitution and Elections: Providing for date absentee ballots consid- ered voted when postmark missing or illegi- ble .....	618- 619	665
632. Charnley, Pardini: Unifying and modern- izing laws governing state historical societies and associations .....	276	
633. Polk, Ehlers, Nelson: Eliminating the requirement of a campaign treasurer's report on the tenth of each month if there were no contributions or expenditures since the last report .....	277	
634. Charnley, Brown, Martinis, Thompson, Sherman, Chandler, Blair: Authorizing con- servation easements .....	277	
635. Ceccarelli, Pardini: Providing a list of unfair insurance claim settlement practices ...	277	
636. Bagnariol, Flanagan, Shinpoch: Revising bases for standards for assistance for needy persons .....	277	
637. Wojahn, Savage, Perry: Revising laws relating to registration of contractors .....	277	
638. Charnley, Brown, Hurley (George), Peterson, Valle: Permitting leafleting and solicitation in shopping centers .....	277	
639. Warnke, Bausch, Charette, Bauer, Pardini, Randall: Providing for a public school employees insurance board for classified employees and setting out powers and duties relating thereto .....	277	710
		504



647. Wojahn, Curtis, Warnke: Requiring mechanical contractors to be certified by the state .....	290	746						
648. Thompson, Newhouse, Gilleland: Requiring proof of financial responsibility as a condition of obtaining a driver's license .....	290							
649. Seeberger, Eikenberry, Gaspard, McKibbin: Prescribing arrest procedures for specified traffic violations .....	290							
650. Bond, Wilson: Prohibiting the state liquor stores from selling wine .....	290							
651. Adams, Paris, Parker, Bauer, Fortson: Making changes in the laws relating to chiropractic .....	290	460	648					
651. (Substitute) Social and Health Services: Making changes in the laws relating to chiropractic .....			648	701	1135	1145	1154	Ch. 39 Ex. 1265
652. Laughlin, Hendricks, Lee: Establishing disposition procedures for unclaimed personal property in port districts .....	290	762						
653. Fortson, Brown: Providing that when candidates for state or federal offices are voted upon at primary or general election, election costs will be prorated .....	291							
654. Berentson, Fortson, Hansey: Regulating the herring catch .....	291							
655. Conner, Wilson, Wojahn, Savage, May, Jastad, Kalich, Gallagher, Moon, Deccio, Nelson, Hayner, Eikenberry, Gilleland, Bond, Hansey, Berentson, Parker, Patterson,								



659. Newhouse, Knowles, Curtis, Bond, Eikenberry, Greengo, Hayner, Hendricks, Leckenby, Matthews, Nelson, Wilson: Prescribing changes to the law against discrimination .....	291	746	956	983				
659. (Substitute) Judiciary: Prescribing changes to the law against discrimination .....			957, 962- 963					
660. Adams, Hendricks, Parker: Establishing a division of mental health and mental health advisory council .....	291	1194						
661. Ehlers, Sherman, Hanna, Conner, Gaines, Lysen, Martinis, Charnley, Hawkins: Regulating posting of political signs .....	292							
662. Hanna, Haley, Smith (Rick), Peterson: Transferring certain social and health services functions from state to county organizations .	292				957			
663. Parker, Gallagher, Juelling: Providing some restrictions on auxiliary police forces . . .	292							
664. Bauer, Sommers, Nelson, Douthwaite, Thompson, McCormick, Valle, McKibbin, Laughlin, Zimmerman: Establishing minimum thermal insulation standards .....	292	756	989	313				
664. (Substitute) Transportation and Utilities: Establishing minimum thermal insulation standards .....			989- 990, 996	1069, 1692	1692	1717	1732	Vetoed
665. Charette, Conner: Permitting public auction of state material valued at \$10,000 or less .....	292	659	698	732	1160	1193	1208	Ch. 45 Ex. 1299



673. Moon, Bauer, Erickson, Ehlers, Williams, Smith (Rick), Charnley, Wojahn, Kilbury, Becker, Sommers, Laughlin, McKibbin, Hanna, Boldt, Fischer, Gaines, Cochrane, Hawkins, Bender, Conner, Hurley (George), Douthwaite, Sherman, Savage, Jastad, Haussler, Gallagher, Gaspard, Clemente, Adams, Fortson, Eng, King, May, Lysen, Bausch, Warnke, North, Valle, Maxie, Kalich, Knowles, Moreau, Hansen: Enacting corporate franchise privilege fee and compensating tax code.....	301	1011, 1043, 1126- 1128							
674. Maxie, Patterson, Perry, Wojahn, Moreau, Nelson, Peterson, Charnley: Abolishing council on higher education and commission on higher education and transferring powers and duties.....	301								
675. Shinpoch, Polk, Bagnariol, Flanagan, North: Regulating the receipt of unanticipated funds.....	302	562	696	732, 1743	1177, 1690	1171, 1203, 1683, 1736	1761	1790	Ch. 293 Ex. P.V.
676. Conner, Kalich, Haussler, Laughlin, North, Fortson, Schumaker, Hansey, Wilson, Erickson, Jastad, Savage, Bond: Providing exemptions to shoreline management requirements.....	314								
677. Valle, King, Parker, Moreau, May, Gallagher, Sherman, Maxie, Warnke, Hurley (George): Setting forth limitations on use of quarterly employed community college faculty.....	314			737, 1345					
678. Jastad, Charette, Haussler, Kalich: Permitting traffic offender to select venue.....	314								





687. Hansen, Flanagan, Bauer, Kilbury, Lysen: Providing for exemption of irrigation equip- ment from sales and use tax .....	315	493, 884	992	1070					
688. Laughlin, Wojahn, Bauer, Haussler: Pro- hibiting vertical integration of agribusiness...	316								
689. Blair, Thompson, Brown, Conner, Douthwaite, Randall, King, Hurley (George), Haley, Savage, Charnley, Chandler, Williams, Adams, Peterson: Revising laws on minor offenses involving marihuana .....	316								
690. Savage, May, Wojahn: Providing for a workman's compensation information office..	316								
691. Warnke, Bausch, Lee: Prescribing changes in state patrol retirement provisions .....	316								
692. Hansen, Patterson, Perry: Amending dis- tribution of drivers' license fees revenue .....	316	1228							
693. North, Berentson, Kalich, Fortson: Requiring advertising public contracts in a newspaper in the part of the county where the work is to be done .....	316	685	774						
693. (Substitute) Local Government: Requiring advertising public contracts in a newspaper in the part of the county where the work is to be done.....			774	786, 1923	1566, 1683, 1923	1566, 1683, 1923	1974	1978	Ch. 230 Ex.
694. Smith (Rick), Randall: Limiting the num- ber of units of trawl gear which may operate in a specifically designated area within Puget Sound .....	316								
695. Smith (Rick), Eikenberry, Charette, Newhouse, Hayner: Clarifying filing and service requirements for enforcing liens.....	316	850	1015	1071, 1837	1836	1858	1866		Ch. 231 Ex.



a parity with federal savings and loan associations . . . . .	317								
705. Hansey, Valle, Hawkins, Zimmerman: Revising fiscal regulation of activated air pollution authorities . . . . .	317								
706. Adams, Freeman, Ceccarelli: Providing for community mental health service areas . . .	317								
707. Chatalas, Pardini: Raising license fees and raising maximum amount small loan companies can loan . . . . .	318	710	963-968	984, 995	995	1732	1735	1749	Vetoed
708. Bausch, Warnke, Gaspard: Restricting use of school transportation facilities with respect to public and private transit companies . . . . .	318								
709. Sommers, King, Chandler, Erickson, Gaspard, Sherman, Brown, Lee, North, Blair, Charnley, Hawkins, Becker: Providing partial public funding of election campaigns for governor and lieutenant governor . . . . .	318								
710. Savage, Moon, Hawkins: Imposing a tax upon intangibles . . . . .	318								
711. Kuehnle, Conner, Savage, Wilson: Authorizing special fund raising events for charitable or nonprofit corporations not otherwise receiving benefits under gambling act . . . . .	318								
712. Smith (Rick), Knowles, Seeberger: Allowing a free transcript and appointed counsel to a party entitled to judicial review . . . . .	318								
713. Peterson, Sherman, Fischer: Authorizing the extension of parking privileges and decals to operators of vehicles for disabled persons .	318								



master's degree subject to review and recommendations by the legislature .....	319	643, 884	746, 1187, 1199	760				
720. (2nd Substitute) Higher Education: Authorizing state colleges to offer degrees through master's degree subject to review by the legislature .....			1199	1221	1682	1691	1717	Ch. 232 Ex.
721. Zimmerman, Douthwaite, Moon, Haussler, Hawkins, Blair, Sommers, Brown, Charnley: Revising laws relating to county solid waste collection and disposal .....	320	823	1200					
721. (Substitute) Local Government: Revising laws relating to county solid waste disposal ..			1200					
722. King, Savage, Warnke, Conner, Paris: Making changes in unemployment compensation .....	320	755						
723. Kilbury: Revising laws relating to claims against the state .....	320							
724. Erickson, Ehlers, Hawkins, Lee: Making port districts accountable to existing planning processes and to district voters .....	331							
725. Sommers, Randall: Pertaining to tax credits or exemptions for pollution control facilities .....	331							
726. Erickson, Gallagher: Licensing tax consultants .....	331							
727. Kalich: Regulating prostitution .....	331							
728. Amen, Flanagan, Haussler, Zimmerman, Newhouse, Randall, Gilleland, Lee: Providing for distribution of local sales tax to cities and towns on population basis .....	331							



735. Kilbury, Haussler, Chandler: Deleting requirement that official newspapers be printed in the city where published .....	332	659	
736. Perry: Increasing revenues for counties and cities from motor vehicle fuel tax .....	332		
737. Eng, North, Blair: Providing for plan to train teachers in bilingual instruction .....	333		
738. Haley, Charnley, Blair, Bausch: Permitting emergency medical, dental or other health services for minors .....	333		
739. Ceccarelli, Pardini, Leckenby, Fischer, Blair, Chatalas, Parker, Polk, Charette, Eikenberry, Lysen, McCormick, Greengo: Establishing procedures for traveler's checks to be deemed unclaimed property .....	333	490	728
740. Barnes, Wilson: Making provisions for survivors of volunteer firemen .....	333		
741. Pardini, Luders, Bond: Authorizing grant of master degree of business administration at Central Washington State College, Eastern Washington State College and Western Washington State College .....	333		
742. Haley, May, Jueling, Gallagher: Making a declaration of legislative intent with respect to certain persons retired under the LEFF system prior to the removal of certain limitations imposed by previous law .....	333		
743. Charnley, Peterson, Douthwaite: Appropriating moneys for water-front park in city of Seattle for berthing of the S.S. San Mateo .	333	507	
744. Lee, Hurley (Margaret), North, Paris, Randall, Gaines, Seeberger, Freeman, Curtis: Authorizing the interagency committee on			





752. Clemente, Hendricks: Reaffirming permissible expenses school districts may expend preliminary to finalizing of budgets .....	334	737	992	1072	1470	1517	1542	Ch. 151 Ex. 1716
753. Hansen, Berentson: Requiring reports of conditions which would impair capability to operate a motor vehicle .....	334							
754. Kilbury, Haussler: Providing for transfer of police court fines to treasuries of third class cities .....	334							
755. Bender, Lee, Clemente, Moon, Ceccarelli, Kalich, Douthwaite, Sherman, King, Charnley, Maxie, Gaines, Lysen, Williams, Laughlin, Barnes: Prescribing rights for customers of public utilities .....	334							
756. Charnley, Brown: Imposing a property tax on income .....	334							
757. Hansen, Berentson: Providing civil penalties for most violations of motor vehicle laws .	334							
758. Newhouse, Bagnariol: Increasing wine tax to fund grape research by the department of agriculture .....	335	460						
759. Bausch, Warnke: Requiring water supply systems to be equipped with auxiliary power supply .....	335							
760. Warnke, Bausch: Permitting deduction of retired allowance for payment of health care .	335	490	650	706	1315	1323	1333	Ch. 73 Ex. 1469
761. Valle, Becker, Sherman: Authorizing across-the-board pay raises for classified state employees .....	335							







Bauer, Sherman, Ehlers, Gaspard, Becker, McCormick, Savage, King, Parker: Requiring graduates of medical schools who are licensed physicians to engage in the general family practice of medicine under certain conditions .....	345							
786. Gallagher, Moreau: Authorizing county assessors to determine county property valuation ratios .....	345							
787. Bausch, Warnke: Adding the day after Thanksgiving as a legal holiday .....	345							
788. Adams, Haley, Hanna, Becker, Newhouse, Hendricks, Tilly, Whiteside, Bauer, Jastad, May, Parker, Cochrane, Fischer, Paris, Greengo: Prescribing changes in provisions relating to physicians and surgeons .....	345	685	774					
788. (Substitute) Social and Health Services: Prescribing changes in provisions relating to physicians and surgeons .....				774	787, 1573	1573	1599	1601
								Ch. 171 Ex. 1748
789. Savage, Moon, Conner, Kilbury, Hendricks, Clemente, Wojahn: Appropriating funds to reimburse counties for uncollectible statutory costs arising out of prosecutions of correctional and penal institutions .....	346							
790. Thompson, Curtis, Haussler, Newhouse, Bagnariol, Polk, Freeman, Gilleland, Hansen: Prescribing rights of private property owners ..	346							
791. Martinis, Schumaker: Reducing the residence required to qualify for residents' hunting and fishing licenses .....	346							
792. Martinis, Bagnariol, Pardini: Requiring certain reports relating to investments .....	346	870	996					

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792. (Substitute) Financial Institutions: Requiring certain reports relating to investments . . .			996						
793. Polk, Bauer, Hayner, Deccio. Kuehnle, Clemente, Bender, Tilly, Hansen, Ehlers, May, Gallagher, Paris, Hurley (Margaret), Patterson, Bond, Curtis, Nelson, Schumaker, Gilleland, North, Freeman, Whiteside, Dunlap, Barnes, Sherman, Haussler, Jastad, Berentson, Hanna, Eikenberry, Peterson, Hendricks, Lysen, Amen, Lee, Zimmerman, Matthews, Chandler, Kalich, Blair, Adams, Moreau, Seeberger, Jueling, Greengo, Fortson, Hansey: Providing for a basic skills educational accountability system within grade K through 6 with initial pilot projects in two local school districts . . . . .	346		870, 950, 1194			1194			
794. Brown, Hawkins: Changing law relating to the election of legislative district chairman of major political parties within certain counties . . . . .	346								
795. Sherman, Charnley, Conner, Erickson, Fischer, Smith (Edward), Bender: Providing a minimum consumption level for electrical rate increase . . . . .	346								
796. Thompson, Hayner: Providing for transfer of rental deposit with change of landlords . . .	346	737	989	1073, 1636	1551- 1552	1551, 1636, 1733	1761	1790	Ch. 233 Ex.

797. McKibbin, Zimmerman, Thompson, Smith (Edward), Paris, Kalich, Fischer, Haussler, Bauer: Creating county citizen review committees to review final denial of any septic permit or percolation test .....	347							
798. Kuehnle, Savage, Jueling: Allowing supervisor of industrial insurance to authorize continuing medication necessary to alleviate pain upon return to work from industrial injuries .....	347	785	1200	1200	1791	1796	1858	Ch. 234 Ex.
799. Ceccarelli, Newhouse: Making it a felony to tamper with a coin operated machine .....	347							
800. Eng, Haley, Cochrane, Parker, Barnes, Hendricks: Providing for health care for high risk individuals .....	347							
801. Gaspard, Warnke: Mandating regular payment to classified school employees if school ceases through no fault of their own ..	347							
802. Shinpoch, Polk, Thompson, Wojahn: Providing uniformity in payment of travel expenses for most state officials and employees .....	347	562	696	733				
803. Bender, Gaines, Patterson, Nelson, Hansen, Clemente, Gallagher, Conner, McCormick, Bagnariol, Wojahn, Wilson, Adams, Erickson, Berentson, Jueling, Hansey, Curtis, Parker, McKibbin, Gilleland, Tilly, Bond, Deccio, Matthews, Hendricks, Barnes, Kuehnle, Fortson, King, Knowles, Schumaker, Freeman, Fischer, May, Chatalas, Warnke, Bausch, Hayner, Bauer, Laughlin: Abolishing the Puget Sound governmental conference .....	349							

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804. Curtis, Erickson: Pertaining to the sales tax on vending machine sales .....	349								
805. Cochrane, Adams, Haley, Kilbury, Hawkins, Charnley, Sherman, Blair, Eng, Valle, Savage, Hanna, Becker, Fischer, May, King, Lysen, Bender, Bausch, Chandler, Douthwaite, Sommers, Jastad: Prescribing nursing home regulations .....	349								
806. Randall, Gaines: Prescribing a change in assessing inspection fees for winter sports activity conveyances .....	350	724	951	986		1349	1349	1391	Ch. 74 Ex. 1567
807. Smith (Rick), Hayner: Changing requirements for foreclosing a deed of trust .....	350								
808. Peterson, Valle, Conner, Freeman: Safeguarding the privacy of personal checking accounts .....	350								
809. Matthews, Freeman, Haley, Gilleland: Prescribing responsibility for safety of railroad employees to be assigned to utilities and transportation commission .....	361								
810. Randall, Pardini, Thompson, Dunlap: Authorizing deduction from amounts subject to B&O taxation for revenues from services related to sales of travel tickets .....	361	1229							





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licensed podiatrists .....	362								
820. Kalich, Haussler, Amen, Zimmerman, McCormick, Laughlin: Revising limits for contracts on county roads .....	362								
821. Lee, Douthwaite, Hurley (Margaret), Maxie, Brown, Bender, Sherman, Charnley, Cochrane: Authorizing hostels .....	362	643	780						
821. (Substitute) Parks and Recreation: Autho- rizing hostels .....			780	787					
822. Sommers, Knowles, Hurley (Margaret): Deleting the state anti-monopoly board from review of certain actions involving copy- rights .....	362								
823. Greengo, Adams, Freeman, Wojahn, Brown, Eng, Dunlap, Hanna: Pertaining to tax credits to industries providing job training and education to public assistance recipients .	362								
824. Fortson, Hansen, Bender, North, Clemente, Fischer, Freeman, Lee, Zimmerman, Berentson, Hansey: Mandating sentencing for second and subsequent offen- ses relating to controlled substances.....	362								
825. Bauer, McKibbin, Blair: Changing amount authorized as deferred compensation for school employees.....	363	763	997	1074		1682	1691	1717	Ch. 205 Ex.

826. King, Maxie, Eng: Providing for agricultural employees labor relations election law . . .	363							
827. King, Lysen, Brown, Knowles, Erickson, Chandler: Providing changes in public disclosure provisions . . . . .	363	438		1019, 1116- 1123, 1128- 1134, 1139- 1153		1016- 1019		
827. (2nd Substitute) King, Brown: Providing changes in public disclosure provisions . . . . .					1222, 1974	1775	1762, 1960	1998 Ch. 294 Ex. P.V.
828. Charnley, Brown, King, Erickson, Douthwaite: Establishing a system of public and private political campaign financing and regulating campaign contributions and expenditures . . . . .	363							
829. Thompson, Haussler, Zimmerman, Laughlin, Cochrane: Providing planning for human resources on a geographic basis . . . . .	363							
830. Blair, Deccio, Fischer: Permitting variable interest rates on life insurance policy loans . . .	363	633	997					
831. Ceccarelli, Leckenby, Eikenberry, Fischer, Lysen: Requiring municipalities to record notices of water and sewer hook-up charges .	363	460				401		
832. Randall, Warnke, Curtis: Providing changes in fees charged by secretary of state for filing by corporations . . . . .	363	909				384		
833. Kilbury, Haussler: Prescribing regulations governing transportation of hazardous materials . . . . .	364							
834. Sommers, Leckenby, Polk: Transferring filing duties from office of secretary of state . .	364							
835. Smith (Rick): Revising excise taxes to provide increased state guaranteed support								



844. Hansen, Patterson: Relating to motor vehicles .....	365			
845. Kilbury: Relating to agriculture.....	365	737, 1279	1333, 1337	867
845. (Substitute) Ways and Means – Revenue: Relating to animal diagnostic laboratories ...			1337	1338
846. Ceccarelli: Relating to financial institutions.....	365			
847. Gaspard, Bausch, Ceccarelli, Hendricks, Haley, Pardini, Zimmerman: Relating to comprehensive liability insurance for state employees .....	366			
848. Luders: Providing for the control of environmental contamination and other acute environmental hazards .....	366			
849. Hansen, Berentson, Hansey: Relating to aviation .....	366			
850. Perry, Patterson: Relating to energy.....	366			
851. Charnley, Gilleland: Relating to public transportation .....	366			
852. Perry, Berentson: Relating to public transportation .....	366			
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855. Charnley, Gilleland: Relating to energy ...	366			
856. Hansen, Berentson: Relating to highways .	366			
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859. McCormick, Gilleland: Relating to utilities .....	366								
860. Perry, Patterson: Relating to transportation studies .....	366	1300, 1424	1584						
860. (Substitute) Transportation and Utilities: Relating to transportation studies .....			1584	1608, 1830		1829	1858	1866	Ch. 268 Ex.
861. Bagnariol, Shinpoch: Adopting a legislative budget .....	367	480, 490	628	645, 1049	565, 1048- 1049	1047	1050	1072	Ch. 16 Ex. P.V.
862. Bagnariol, Shinpoch: Relating to appropriations .....	367	772	829		770				
862. (Substitute) Ways and Means: Adopting a budget for the superintendent of public instruction .....			829- 834, 836- 846	938					
863. Bagnariol, Shinpoch: Relating to appropriations .....	367		847		770				
863. (Substitute) Ways and Means: Adopting the budget for the department of social and health services .....			855- 867, 874- 882	939					



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873. Parker: Relating to the law against discrimination and the participation of handicapped employees in life insurance, medical or disability benefits .....	367								
874. Parker: Establishing health systems agencies .....	368								
875. Parker: Relating to the law against discrimination .....	368								
876. Kilbury: Relating to irrigation development .....	368	711, 772							
877. Luders, Zimmerman: Relating to solid waste management .....	368								
878. Luders, Zimmerman: Relating to solid waste management .....	368								
879. Warnke, Bausch: Relating to school district transportation .....	368								
880. Luders, Zimmerman: Relating to water resource management .....	368	724, 1081	1201						
880. (Substitute) Ecology: Providing for a study of water resource allocation and imposing a moratorium on the granting of certain permits .....			1201- 1202	1379- 1381					



881. Luders, Zimmerman: Relating to water resource management .....	368	724		
882. Luders, Zimmerman: Relating to water use .....	368			
883. Luders, Zimmerman: Relating to water use .....	368			
884. Luders, Zimmerman: Relating to water use .....	368			
885. Luders, Zimmerman: Relating to marine pollution .....	368			
886. Luders, Zimmerman: Relating to oil pollution control .....	368			
887. Luders, Zimmerman: Relating to water pollution .....	368			
888. Luders, Zimmerman: Relating to marine water quality .....	369			
889. Luders, Zimmerman: Relating to resource recovery .....	369			
890. Bauer: Relating to education .....	369	1280, 1296	1307	1296
890. (Substitute) Ways and Means: Providing emergency funding for school districts .....			1307- 1309	1309
891. Flanagan, Hansen, Kilbury: Relating to ground waters .....	369			
892. Luders, Zimmerman: Relating to water pollution .....	369			
893. Maxie: Relating to higher education .....	369			
894. Maxie: Relating to community colleges ...	369			



907. Warnke, Bausch: Relating to public officers and agencies . . . . .	370		
908. Ceccarelli: Relating to cosmetology . . . . .	370		
909. Haussler: Relating to local government . . .	370		
910. Haussler: Relating to local government . . .	370		
911. Hurley (Margaret), Gaines: Relating to parks and recreation . . . . .	370		
912. Parker: Relating to certificate of need . . . .	370		
913. Charnley: Relating to revenue and taxation . . . . .	370		
914. Hawkins: Relating to elections . . . . .	370		
915. Adams, Becker, Bagnariol, Parker: Relating to social service planning, funding and delivery . . . . .	371	785, 959	1287
915. (Substitute) Social and Health Services: Relating to social service planning, funding and delivery . . . . .			1287 1287
916. Douthwaite: Enacting the higher education retirement act of 1975 . . . . .	371		
917. Adams, Parker: Relating to health care services . . . . .	371		
918. Adams, Parker: Requesting study of malpractice statistics . . . . .	371		
919. Brown: Relating to conflicts of interest . . .	371		
920. Hurley (Margaret): Relating to land areas along the Pacific Ocean . . . . .	371		
921. King: Relating to public disclosure . . . . .	371		
922. Sherman, King, Fischer: Relating to the voter's pamphlet . . . . .	371		



935. Warnke: Relating to business regulations .	372
936. Laughlin: Relating to transportation and highways .....	372
937. Laughlin: Relating to transportation and highways .....	372
938. Parker: Relating to militia and military affairs .....	372
939. Laughlin: Relating to transportation and highways .....	372
940. Ceccarelli: Relating to employer contributions for unemployment compensation .....	372
941. Ceccarelli: Relating to appointed officials' salaries .....	372
942. Gaspard: Relating to senior citizens and authorizing reduced rates for municipal utility services .....	373
943. Warnke: Relating to consumer protection .	373
944. Warnke: Relating to gambling .....	373
945. Hurley (Margaret), May: Relating to highway toll facilities .....	373
946. Savage: Relating to industrial insurance ..	373
947. Savage: Relating to unemployment compensation .....	373
948. Adams: Relating to health .....	373
949. Valle: Imposing a state net income tax ...	373
950. Adams: Relating to health, welfare, and safety .....	373
951. Warnke: Relating to gambling .....	373
952. Warnke: Relating to motor vehicles .....	373



965. King, May, Bauer, Valle, McKibbin: Establishing an employer–employee labor relations board . . . . .	375	763						
966. Ehlers, Hendricks: Consolidating person- nel boards . . . . .	375							
967. Perry, Pardini, Haussler, Clemente, Lysen: Regulating primary processing of state owned timber . . . . .	375							
968. Patterson, Hansen: Redistributing motor vehicle fund revenues . . . . .	375							
969. Ehlers, Hendricks: Consolidating civil service systems . . . . .	375							
970. Douthwaite: Regulating water rights . . . . .	376	552	663					
970. (Substitute) Ecology: Regulating water rights . . . . .			663	733				
971. Randall, Pardini, Sommers, Newhouse: Pertaining to taxation of leasehold interests . .	376	794	997, 1020– 1021	1052– 1054				
972. Adams, Pardini, Hanna: Authorizing bonds for social and health services facilities .	376	1137	1231					
972. (Substitute) Ways and Means – Appropri- ations: Authorizing bonds for social and health services facilities . . . . .						1409, 1469, 1853, 1918	1974	1974 Ch. 258 Ex.
			1231	1918	1409			
973. Perry, Patterson: Modifying membership of traffic safety commission . . . . .	376							
974. Erickson, Bauer, Charnley: Abolishing coordinating council for occupational educa- tion . . . . .	376							





tion in state's institutions of higher education because of race, color, caste or sex but that preference be given to persons resident within the state .....	377								
983. Eikenberry: Allowing law enforcement officers to recover attorney fees and costs incurred in defending against frivolous suits ..	377								
984. Eikenberry: Requiring financial information regarding charitable organizations to be furnished to contributors .....	378								
985. Paris, Thompson, Zimmerman, Haussler: Requiring grantor and grantee addresses in land conveyance documents .....	378								
986. Bagnariol, Shinpoch: Making certain changes relating to the state printing and duplicating committee .....	378								
987. Thompson, Pardini: Providing for presidential primaries .....	378								
988. Thompson, Pardini: Providing for presidential primaries .....	378	724	756, 774- 780	788, 1606	1600	1604	1611	1629	Vetoed
989. Valle, King, Charnley, Becker, Hanna, Hawkins: Providing comprehensive review and regulation of energy-related matters ....	378								
990. North, Charnley: Requiring covers over auto junkyards when needed to block interior from view .....	378								
991. Gaines: Requiring vehicle headlights to be on when windshield wipers are on .....	378								
992. Gaines: Modifying the definition of vehicle dealer and permitting isolated sales of not more than four vehicles each year .....	378	763							



financial assistance for housing to persons of low income .....	380							
1003. O'Brien, Erickson, King, Valle, Charnley, North, Gallagher, Shinpoch, Conner, Smith (Rick), McCormick, Sommers, Parker: Creating the Washington citizens' commission on salaries .....	380							
1004. Chatalas, Erickson, North, Bagnariol, Thompson, McCormick, Eng, Blair: Setting salaries of legislators .....	380	884						
1005. Chatalas, Thompson, Charnley, North: Providing for random selection of a Washington citizens' commission on salaries for elected officials .....	380							
1006. North, Thompson, Brown: Establishing a citizens' salary commission composed of nongovernmental leaders .....	380	885						
1007. Bagnariol, Thompson, Shinpoch, Zimmerman, Eng: Setting salaries for elected public officials .....	380	885, 1224			1209			
1007. (2nd Substitute) Ways and Means – Appropriations: Setting salaries for elected state officials .....			1224, 1250– 1251, 1257	1257, 1800		1799	1847	1864 Ch. 263 Ex.
1008. Douthwaite: Restricting classes of persons who may be licensed to carry a concealed weapon and providing for the registration of pistols .....	380							
1009. Patterson, Laughlin, Bauer, Zimmerman, Charnley: Permitting specific information panels on the primary and scenic systems .....	380							



ing records, and legislative digests on a statewide basis .....	381		
1016. Patterson, Hansen, Dunlap, Wilson, Nelson, Bond, Martinis, Tilly, Matthews: Transferring vehicles inspection duties from the state patrol to the department of motor vehicles .....	381		
1017. Deccio, Hayner, North, Whiteside, Wilson, Lee, Chandler, Bond, Peterson, Kilbury, Bausch, Bender, Eng, Fischer, Boldt, Greengo, Haley, Seeberger, Gallagher, Moreau, Freeman, Clemente, Becker, Eikenberry, Polk, Blair, Paris, Charnley, Newhouse, Kuehnle, Gilleland, Nelson, Matthews: Establishing highway completion priorities .....	381		
1018. Hansen, Patterson, Bender: Redesignating the Puget Sound capital construction account the marine transportation account ...	381		
1019. North: Exempting certain buildings from the requirement to have elevators .....	382		
1020. Kalich: Relating to revenue and taxation	382		
1021. Charnley: Relating to motor vehicles fund revenues .....	382		
1022. Charnley: Relating to motor vehicle fund revenues .....	382		
1023. Hanna: Relating to cities and towns .....	382		
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1025. Freeman, Bauer: Relating to the funding of the common schools .....	382	1280	1226, 1231

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1026. Sommers, Ehlers, Hendricks: Allowing preference in public employment for spouses of honorably discharged totally disabled veterans .....	603	909	1289	1289		1629	1692	1717	Ch. 198 Ex.
1027. Warnke, Gaspard, McKibbin, Knowles, Gaines: Requiring investigation in some instances by public disclosure commission before publicizing complaints and making complainants liable for their false statements .	603								
1028. Warnke, Bausch: Taxing gross revenues of health care service contractors .....	603								
1029. Conner, Warnke, Eikenberry, Kalich, Wojahn, Gallagher: Recognizing the Washington association of sheriffs and chiefs of police .....	603	785	1016	1054, 1574		1574	1599	1601	Ch. 172 Ex. 1748
1030. Sommers, Hurley (George): Establishing grandparent visitation rights .....	603								
1031. Haussler: Reducing number of district court judges in Lincoln county from two to one .....	603	850	1232	1232		1470	1517	1542	Ch. 153 Ex. 1716
1032. May, Gallagher: Relating to barbering ...	611								
1033. Newhouse, Flanagan, Jastad, Haley: Providing for two year probationary period for certificated employees with special hearing procedure upon nonrenewal of contract ....	620	1464	1614, 1695- 1696, 1728- 1731						

1034. Kilbury, Haussler, Hayner: Changing requirements for county road construction day labor contracts .....	620								
1035. Kilbury, Savage, Charnley, Hawkins: Removing nonapplication of environmental impact report to thermal power plant sites ...	620	764	990	1075	1682	1692	1717	Ch. 206 Ex.	
1036. Tilly, Matthews, Schumaker: Providing for capital punishment .....	620								
1037. Bagnariol, Pardini, Erickson, Sommers, Randall: Imposing a special tax on coin-operated gambling devices .....	621	959	1290	1290					
1038. Sommers, Erickson, Randall: Pertaining to insurance taxation .....	621								
1039. Hanna, Becker: Deleting minimum requirements for instruction at cosmetology school .....	621								
1040. O'Brien, Fischer, Jastad, Hawkins: Regulating sale and use of hypodermic needles and syringes .....	621								
1041. Warnke: Providing for regulation of self-insurance service organizations .....	630								
1042. Thompson, Wojahn: Repealing laws on homesite lands .....	630	980							
1043. Savage: Requiring an employer to assure a workman on temporary disability of a light duty position .....	630	850	1187, 1188	1208, 1726	1726	1735	1749	Ch. 235 Ex.	
1044. Knowles: Relating to administrative procedure .....	630								





1054. Barnes, Eikenberry, Hurley (Margaret), Knowles, Lee, Fischer, Bond, Freeman, Hendricks: Imposing mandatory sentences for controlled substances violations involving juveniles .....	641	
1055. Valle, Charnley, Fischer, Smith (Edward), Hawkins, Cochrane, May, Sherman, Moon, Kilbury, Eng: Prohibiting aerosol spray products by January 1, 1977 ...	642	1209
1056. Fortson, Charette, Hansen, North, Parker, Bender, Clemente, Fischer, Hurley (George), Flanagan, May, Gallagher: Granting an inheritance tax exemption of \$40,000 on community property to the surviving spouse .	642	
1057. Parker, Fischer, Jastad: Providing for election of pharmacy board members .....	642	
1058. Kilbury: Abolishing requirement that coroners report auto deaths to sheriff and state patrol .....	654	
1059. Luders: Revising taxes due from title insurers .....	654	
1060. Chandler, North, Charette, Hayner, Pardini: Permitting fire districts to charge for ambulance services .....	655	
1061. Berentson, Conner, Hansey, Thompson, Paris, Moon, Schumaker, Wilson: Amending the forest practices act .....	655	
1062. Perry, Charnley: Authorizing a local sales and use tax on gas for support of public transportation .....	655	



1072. Berentson, Hansey, Hansen, Newhouse, Kalich, Curtis, Schumaker, Deccio, Whiteside, Hayner, Freeman, Wilson, Greengo, Nelson, Hendricks, Patterson, Gilleland, Flanagan, Fortson: Repealing electrical contractors' licenses law of 1974 . . .	656								
1073. Perry: Extending the sales and use tax to motor vehicle fuel . . . . .	656								
1074. Lysén, King, Fischer, Bender, Clemente, Kilbury: Regulating working conditions . . . . .	656								
1075. Curtis, Polk: Transferring certain state funds to the general fund . . . . .	657	1008	1204	1204		1324	1333	1362	Ch. 91 Ex. 1596 P.V.
1076. Smith (Rick): Repealing bankruptcy discharge prohibition in motor vehicle financial responsibility requirements . . . . .	657								
1077. Martinis, Conner, Haussler: Relating to the state building code . . . . .	657	870	1290	1290, 1727	760	1726	1735	1749	Ch. 282 Ex.
1078. Martinis, Moreau, Kalich, Matthews, Wilson: Revising the forest practices act . . . . .	657	969	1021				1177, 1204,		
1078. (Substitute) Natural Resources: Revising the forest practices act . . . . .			1021-1027	1054, 1789	1185-1186, 1752		1751, 1781	1792	1801 Ch. 200 Ex.
1079. Douthwaite, Paris: Mandating availability of literature describing abuses of alcohol in premises where alcohol is served . . . . .	657								
1080. Moon, Clemente: Requiring a certificate of necessity for new service stations . . . . .	666					684			
1081. Luders, Charnley: Providing for a study of the hazards of aerosol sprays . . . . .	666								



1090. Ceccarelli, Leckenby, Schumaker: Forbidding prosecution of liquor purveyors involving underage persons if the latter are not also prosecuted . . . . .	667								
1091. Chatalas, Polk, Greengo: Authorizing general obligation bond issue of state for University of Washington hospital facilities in lieu of university revenue bonds . . . . .	667	885, 1137	1231						
1091. (Substitute) Ways and Means – Appropriations: Authorizing general obligation bond issue of state for University of Washington hospital facilities in lieu of university revenue bonds . . . . .				1231	1231	1324	1333	1362	Ch. 88 Ex. 1568
1092. Gallagher, Wilson, Bagnariol, May: Making certain changes in the state environmental policy act . . . . .	667								
1093. Flanagan, Newhouse, Hansen: Modifying the tax limitation law . . . . .	668								
1094. Charnley, Brown, Ehlers, Wilson, Sherman, Chandler, Hurley (George), McKibbin, Haley, Moreau, Matthews: Enacting the state funding of public education act of 1975 . . . . .	668								
1095. Cochrane, Hawkins, Boldt, Becker: Regulating use of initiative and referendum in local governments . . . . .	668								
1096. Douthwaite: Requiring nomination for water district commissioner to be by twenty-five percent of the district's voters . . . . .	668	870							

## SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
1097. Tilly, Haussler, Zimmerman: Requiring community club improvement funds to be placed in trust .....	668	1137							
1098. Hanna, Patterson, Chatalas, Blair, Charnley, McKibbin, Douthwaite, King, Perry: Making nineteen the legal age for liquor.....	668	885							
1099. Randall, Erickson, Brown, Sommers: Authorizing political subdivisions to impose a service charge for certain necessary services ..	668								
1100. Gaspard, North: Permitting local governments greater latitude in establishing utility rates .....	668	764	1205						
1100. (Substitute) Transportation and Utilities: Permitting local governments greater latitude in establishing utility rates .....			1205	1235					
1101. Charnley, Patterson, Maxie: Mandating use of words "community college" in respective community college's names .....	669	764							
1102. Clemente, Warnke: Providing a supplementary pension plan to offset any future reductions in benefits for public employees ..	669								
1103. King, Brown, Polk, Blair, Erickson, Hawkins, Moreau, Seeberger, Sherman: Setting forth security provisions for transporting ballots between voting precincts and counting centers.....	669	1213							

1104. Erickson, Wilson, Laughlin: Authorizing continuing apportionment credit when certain students are excused from attendance during later part of school year . . . . .	669	
1105. Randall, Smith (Rick), Douthwaite, Brown: Providing safeguards of historic and ecologically fragile natural areas . . . . .	669	1241
1106. Erickson, Randall, Brown, Nelson, Matthews: Allowing late filings for retired persons' tax exemption for good cause and permitting a refund of taxes paid by mistake or lack of knowledge of exemption . . . . .	669	1155
1107. Ceccarelli, Blair, Hanna, Sommers, Bagnariol: Authorizing the sale of beer at stadiums . . . . .	669	708
1108. King, Eikenberry, Perry, Conner, Pardini, Moon: Prohibiting discrimination against commercial vehicle drivers because of age . . .	669	
1109. Paris, Thompson, Blair, Charette, Fischer, Whiteside, Ceccarelli, Tilly, Haussler, Matthews, Dunlap, Freeman, Chandler, Randall, Curtis, Knowles, Hendricks, Haley, Kuehne, Polk, Wojahn, Conner, Smith (Rick), Amen, Gaspard, Parker, Zimmerman, Bender: Changing "act of God" to "unpreventable natural disaster" .	669	
1110. Hurley (Margaret), Fortson, Barnes, Deccio, Kilbury: Imposing mandatory terms for crimes and prohibiting parole during mandatory minimum terms . . . . .	669	
1111. Wilson, Martinis, Hawkins: Declaring a moratorium on clam dredging . . . . .	670	





1119. Parker, Adams: Coordinating and surveying the health care delivery system . . . . .	670	980, 1081, 1325	1830	1832	
1120. Sommers, Randall: Providing for the taxation of leasehold estates in public properties	670				
1121. Bender, Fortson, Brown, Erickson, Gaspard, Clemente, Hurley (George), Valle, Haley, Hendricks, Hansen, Sherman, Dunlap, Gaines: Limiting school district certificated administrative employees by ratio to other certificated employees . . . . .	671				
1122. Randall, Smith (Rick): Exempting five thousand dollars of personal property from taxation . . . . .	671				
1123. Randall, Nelson, Sommers, Smith (Rick): Enacting a new gift tax law . . . . .	671	971	1336	1336	
1124. Kilbury: Providing for gardens on public lands . . . . .	671				1626
1125. Sommers: Relating to public employment . . . . .	671				
1126. Conner, Sherman: Permitting clerk of justice court to prepare garnishments for small claims judgment creditors . . . . .	672				
1127. Cochrane, Hanna, Hawkins, Kilbury: Affording private citizens and attorneys the right to volunteer their services before grand juries . . . . .	672				
1128. Sherman, Conner, Thompson, Seeberger, Warnke, Bender, Lee, Charnley, McKibbin, Patterson, Matthews: Authorizing retailers to offer discounts or lower prices for cash customers . . . . .	672				



1138. Douthwaite: Repealing city business and occupation tax rate restrictions .....	673							
1139. Hanna, Ceccarelli, Hawkins, Fischer: Requiring that all cigarettes to be sold or marketed in this state be designated to self-extinguish within ten minutes of lighting .....	673							
1140. Becker, North, Blair, Gaspard, Erickson, Hawkins: Reducing terms of port commissioners to four years .....	673							
1141. Gaines, Parker, Martinis, Sherman, North, Patterson, Dunlap, Freeman, Gilleland, Polk: Providing for expedited decision regarding construction of highway between Bellevue and Seattle .....	673	764	991					
1141. (Substitute) Transportation and Utilities: Providing for expedited decision regarding construction of highway between Bellevue and Seattle .....			991	1076	1629	1692	1717	Ch. 272 Ex.
1142. Hendricks, Deccio, Kilbury: Authorizing payroll deductions by state officers and employees for insurance purposes to allow deductions of any amounts due under insurance policy rather than a sum certain each month .....	673							
1143. Maxie: Authorizing issuance of bonds for certain community college projects .....	673	885, 1137	1235					
1143. (Substitute) Ways and Means - Appropriations: Authorizing issuance of bonds for certain community college projects .....					1409, 1469, 1853, 1919	1974	1978	Ch. 236 Ex.
			1235-	1237, 1237	1409			

## SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
1144. Maxie: Reconstituting council on higher education .....	674								
1145. Maxie, Wojahn, Charnley: Limiting expenditure of services and activities fees of institutions of higher education .....	674								
1146. Maxie: Authorizing bonds for financing of Washington State University facilities .....	674	885, 1156	1237						
1146. (2nd Substitute) Ways and Means - Appropriations: Authorizing bonds for financing of Washington State University facilities .....			1237	1237, 1944	1409	1409, 1469, 1944	1974	1978	Ch. 237 Ex.
1147. Valle, Gaspard, Smith (Rick), Blair, Chandler: Providing for a fair information practices act .....	674								
1148. Erickson, Eikenberry, Williams: Requiring property tax exemption applications every four years .....	674	764	998	1076					
1149. Martinis, Berentson, Luders, Erickson: Allowing certain tax credits for energy conservation research and development .....	674								
1150. Conner: Authorizing contractual interest of school directors of 2nd and 3rd class districts up to an amount of \$3,600 in a calendar year .....	674	969	1187						

1151. Haussler, Amen: Directing the criminal justice education board and commission to establish minimum standards for recruitment of criminal justice personnel .....	675	684
1152. Eikenberry, Hanna: Establishing procedures for treatment of mentally incapacitated persons .....	675	684
1153. Newhouse: Permitting certain limited exclusions from financial disclosure requirements .....	675	
1154. Conner, Brown, Williams, Chandler, Becker: Declaring a five year moratorium on the construction of nuclear power plants in this state .....	675	721
1155. Ehlers, Kilbury: Providing a separate method for charges on prepayment of mobile homes sales contracts .....	675	
1156. Adams, Fischer, Becker, Hanna, Haley, Hendricks, Peterson, Parker, Paris: Setting qualification standards for dental assistants ..	675	
1157. Gaspard, Knowles, Seeberger, Eikenberry: Providing for the disposal of forfeited property under the uniform controlled substances act .....	675	
1158. Bond, Newhouse, Hansen, Kilbury, Curtis: Providing that livestock shall be listed and assessed upon the monthly average of stock owned or held .....	676	
1159. Polk, Ehlers: Relating to horse racing ...	676	
1160. Ehlers, Polk: Relating to horse racing ...	676	



1172. Martinis, Kilbury: Relating to energy . . . .	677							
1173. Thompson, Luders: Relating to oil imports . . . . .	677							
1174. Fortson, Kilbury: Relating to agriculture.	677	1594	1614		1565			
1174. (Substitute) Agriculture: Permitting youthful pickers for berries to be sold in intrastate commerce . . . . .			1614	1615, 1800		1800	1858	1866 Ch. 238 Ex.
1175. Kilbury: Relating to honey bees . . . . .	677	711						
1176. Kilbury: Relating to libraries . . . . .	677							
1177. Sommers, Adams, Haley: Relating to eye banks . . . . .	678							
1178. Sommers: Relating to state government . .	678	1156, 1267	1337					
1178. (Substitute) State Government: Establishing a central payroll system for state agencies . . . . .			1337	1337, 1727		1727	1735	1749 Ch. 239 Ex.
1179. Sommers: Relating to state and taxation .	678							
1180. Sommers: Relating to state government . .	678							
1181. Gaspard: Relating to state employee group insurance . . . . .	678							
1182. Boldt, Kilbury: Relating to an irrigation and market study . . . . .	678							
1183. Boldt: Relating to higher education . . . .	678							
1184. North: Relating to oceanography . . . . .	678							
1185. North: Relating to the oceanographic commission . . . . .	678							
1186. Bauer: Relating to education . . . . .	678							





1201. Ceccarelli: Relating to mutual savings banks.....	680							
1202. Martinis: Relating to natural resources ..	680							
1203. Martinis: Relating to natural resources ..	680							
1204. Becker, Kilbury, Zimmerman, Tilly: Relating to artificial honey products .....	680	711, 773	1019					
1204. (Substitute) Agriculture: Relating to artificial honey products.....				1019- 1020	1077, 1690	1690	1717	1732
1205. Perry, Kilbury: Relating to utility rates ..	680							
1206. Leckenby: Relating to revenue and taxation .....	681							
1207. Hanna: Relating to the state civil service.	681							
1208. Hanna: Relating to youth development ..	681							
1209. Hanna: Relating to health benefits .....	681							
1210. Hanna: Relating to sex crimes .....	681							
1211. Hanna, Haley, Hawkins, Adams, Boldt: Relating to malpractice insurance .....	681	1156						
1212. Hanna, Becker, Hawkins: Relating to health care services .....	681							
1213. Warnke: Relating to the public employees' retirement system .....	681	1598						
1214. Warnke: Relating to law enforcement officers' and fire fighters' retirement system ..	681	1598						
1215. Warnke: Relating to retirement systems..	681	1598						
1216. Luders: Relating to the management of freshwater lake environs .....	682							

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ors of the several western states to meet in conference at Olympia for the purpose of seeking remedies for the problem of natural gas supplies .....	94	294	356	412, 605		1682	1709	1717
5. Valle, Bagnariol, Kilbury, Shinpoch, Thompson, Pardini, Hawkins, Dunlap, Hansey, Parker, Charnley, Matthews, North, Sherman: Memorializing Congress to exempt tax on interest earned from savings accounts .	104							
6. Kilbury, Boldt, Wojahn, Charnley, Cochrane, Douthwaite, Perry, Fortson, North, Maxie, Valle, Bausch, Becker, Sherman, Williams, Hawkins, Moreau, Hanna, Thompson, Hurley (George), Lee, Brown, Laughlin, Moon, Sommers, Erickson, Smith (Rick), Bauer, Ceccarelli, Knowles, King, Bagnariol, Savage, Eng, Warnke, Shinpoch, Chatalas, Seeberger, McKibbin, Randall, Blair, Kalich: Memorializing Governors and Legislatures of the states that have not ratified the equal rights amendment . . . .	113	294	397	462, 605	466, 470- 472	523		
7. North, Fortson, Savage, McCormick, Martinis, Kalich, Ehlers, Williams, Becker, Kilbury, Hurley (Margaret), Charnley, Randall, Hawkins, Boldt, Moreau, Erickson, Seeberger, McKibbin, Gaines, Sherman, Smith (Rick), Chatalas, Cochrane, Gallagher: Requesting Congress continue hot lunch program for elderly .....	114	279	340	356		458	459	478
8. Cochrane, Charnley, Wojahn, O'Brien, Chatalas, Knowles, Maxie, Sherman, Hansen, North, Kilbury, Valle, Douthwaite, Williams,								



Thompson, Hawkins, Hanna, Ehlers, Savage, Moreau, Kilbury, Bagnariol, Ceccarelli, Randall, Moon, Chatalas: Urging the United States to halt nonhumanitarian aid to South- east Asia .....	206						
12. King, Hanna, Moreau, Warnke, Hawkins, Bauer, Lysen, Smith (Rick), Ehlers, Savage: Requesting congressional support of HR 50 ..	231						
13. Lysen, Gaines, Clemente, Valle: Requesting the President and Congress terminate the air- line mutual aid agreement .....	255	507	650	734			
14. Bagnariol, Douthwaite, Ceccarelli, Deccio: Requesting that Congress cut back useless defense spending .....	292						
15. Bagnariol, Flanagan, Shinpoch: Petitioning the President and the Director of the Office of Management and Budget to provide fiscal data to state legislatures on a systematic basis .....	302	404	448	449, 606	1315	1323	1333
16. Bagnariol, Flanagan, Shinpoch: Petitioning Congress to establish a clearing house for federal budget information necessary for for- mulation of state budgets .....	302	404	449	449, 606	1315	1323	1333
17. Bagnariol, Flanagan, Shinpoch: Petitioning the President to assist in the establishment of continuing working relationships between state legislatures and federal departments and agencies .....	302	404	449	449, 606	1315	1323	1333
18. Kalich, Jastad, Thompson, Paris, Charette, Smith (Edward): Requesting that the post							





26. Becker, Kilbury, Berentson, Moreau: Memorializing Congress to permit children under twelve to harvest crops .....	971	1081	1442	1436
26. (Substitute) Agriculture: Memorializing Congress to permit children under twelve to harvest crops .....			1442- 1443	1444

## SUBJECT AND HISTORY OF HOUSE JOINT RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
1. Kilbury, Charnley, Nelson, Barnes: Authorizing the use of property tax revenues resulting from the increased value of the property due to construction of public works for the payment of indebtedness on the public works project .....	23								
2. Sommers, Brown, Erickson, Charnley, Chatalas: Revising the Constitution to permit property tax relief for low income homeowners and lessees .....	23								
3. Erickson, Gaspard, Ehlers, Hurley (George), Lee, Sherman, Matthews: Amending the Constitution to permit current use assessment on all real property .....	23								
4. King, Douthwaite, Hayner (by Committee on Constitution and Elections of the 43rd Legislature request): Proposing constitutional amendment to provide for holding election when vacancy in governorship only if vacancy exists thirty days before a primary rather than thirty days before the general elections .....	23	68	179	187					
5. King, Hayner (by Committee on Constitution and Elections of the 43rd Legislature request): Amending the Constitution to change the amendment process thereof .....	23	68	90	96, 607					

6. Barnes: Amending the constitutional vote requirement for approval of general obligation bond levies for capital construction . . . . .	24				
7. Erickson, Brown, King, Charnley: Authorizing court-supervised reapportionment and redistricting if not done by the legislature . . . . .	24	179- 180			188
8. Brown, King, Lysen: Amending the Constitution to permit a bill to take effect ninety days after the governor's signature . . . . .	24	68	90	646	
9. Hawkins, Fortson, Lysen: Filling legislative vacancies from nominations by precinct committeepersons . . . . .	24	353	452		
10. Kalich, Hayner, Gaines, Tilly, McCormick, Zimmerman, Paris, North, Williams, Hendricks, Chandler, Lysen, Charnley: Limiting the terms of elected officials . . . . .	49				
11. Polk, Bagnariol, Eikenberry, Sommers, Freeman, Juelling, Schumaker, Pardini, Hawkins, Bond, Chandler, Flanagan, Amen, North, Dunlap, Kraabel, Curtis, Blair, Erickson, Fortson, Lee, Hansey, Smith (Rick), Haley, Matthews, Hansen (by Executive request): Abolishing the office of secretary of state . . . . .	53				
12. Polk, Luders, Brown, Fortson, Bender, Bauer, Curtis, Kraabel, Kuehnle, Dunlap, Freeman, Hayner, Bond, Deccio, Berentson, Ehlers, North, Randall, Gilleland, Laughlin, Nelson, Sherman: Amending the Constitution to permit two year special levies . . . . .	67	388			



19. O'Brien, King, Pardini, Bagnariol, Flanagan, Chandler, Knowles, Kuehnle, McCormick, Freeman, Parker, Paris, Perry, Lysen, Zimmerman, Berentson, Wojahn, May, Gallagher, Matthews, Peterson, Chatalas, Kalich, Bond, Whiteside, Barnes, Leckenby, North, Ceccarelli, Becker, Seeberger, Maxie, Hurley (George), Bauer, Thompson, Hurley (Margaret), Bausch, Curtis, Kraabel, Hayner, Eng, Gilleland, Schumaker, Bausch, Kilbury, Smith (Edward), Warnke (by Executive request): Proposing constitutional amendment allowing legislature to provide assistance to all private and public school students . . . . .	114	234	259	273	493	504	523
20. Kraabel, Nelson, Kalich, Chandler, Matthews: Limiting future members of the legislature to 12 years in each house . . . . .	114						
21. Brown, King, Blair, Peterson, Laughlin, Haley, Tilly, Hawkins (by Executive request): Proposing a state constitutional convention . .	135						
22. Wilson, King, Paris, Brown: Amending the Constitution to authorize rental support programs . . . . .	144						
23. Perry, Tilly, Conner, Sommers, Erickson, Chandler, Zimmerman, Smith (Rick), Hayner (by Executive request): Authorizing the expenditure of public funds and the lending of public credit for public purposes . . . . .	177				188		
24. Chandler, Erickson, Brown, Hayner, Lysen, Kalich, Bagnariol, Knowles, Eikenberry, Patterson, Blair, Paris, Leckenby, Douthwaite, Tilly, Bond: Amending the							



ing the expenditure of public funds and the lending of public credit for public purposes . .	350
33. Cochrane, Tilly, Fischer, Clemente, Hurley (Margaret): Authorizing use of highway fund for public transit . . . . .	350
34. King, Newhouse, Hansey, Ceccarelli: Amending the Constitution to authorize property tax relief for homeowners and lessees . . . . .	382
35. Valle, Bagnariol, Charnley, Peterson, Eng: Amending the Constitution to permit property tax exemption for urban homesteaders . .	382
36. Randall: Amending the state Constitution . .	382
37. Bauer: Amending the state Constitution . . .	382
38. Randall: Amending the state Constitution . .	382
39. Luders, Newhouse: Relating to public financing of improvements for a public purpose . . . . .	383
40. Luders, Newhouse: Relating to public financing of environmental pollution control facilities . . . . .	383
41. Luders, Newhouse: Relating to industrial revenue bonds . . . . .	383
42. Luders, Newhouse: Relating to ad valoren tax revenue financing . . . . .	383
43. Sommers: Amending the state Constitution .	383
44. King: Amending the state Constitution . . . .	383
45. O'Brien, Brown, Charnley, Erickson, North, Thompson, McCormick, Gallagher,	





constitutional provisions for discipline and removal of judges .....	631	
51. Brown, King, Erickson, Sherman, Chandler, Hawkins: Requiring joint candidacy by the governor and lieutenant governor .....	631	
52. Pardini, Paris, Newhouse, Juelling, Flanagan, Deccio, Lee, Dunlap, Kuehnle, Leckenby, Amen, Brown, Haley, Zimmerman, Polk, Barnes, Hansey, Hendricks, Patterson, Nelson, Gilleland, Wilson, Chandler, Matthews, Eikenberry, Curtis, Freeman: Establishing certain legislative session limitations .....	642	1747
53. Wilson, Erickson, Brown, Thompson, Lee, Zimmerman, Charnley, Hurley (George), Peterson, Chandler, Fortson, Wojahn, Smith (Edward), North, Smith (Rick), McKibbin: Authorizing income tax to support common schools .....	657	
54. Hawkins, Nelson, Eikenberry, Patterson, Eng, Erickson, Charnley: Creating a unicameral legislature .....	683	
55. Parker, Gaines, Conner, Gallagher, Adams, Savage: Amending the Constitution to allow state banking activities .....	683	
56. Smith (Rick), Eikenberry: Changing judicial article of the Constitution .....	683	
57. Sommers, Blair, Brown: Allowing cost of living increases in salaries of elective officials ..	683	
58. Dunlap, Bauer: Amending the Constitution .....	951	
59. Randall: Amending the Constitution .....	951	

## SUBJECT AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
1. Charette: Notifying the Governor that the Legislature is organized .....	9		9	9		10	10	35	
2. Charette: Receiving state of the state message from Governor Evans .....	9		9	9		10	10	35	
3. Kilbury, Clemente: Providing for a study of policies and conditions at Monroe and Walla Walla .....	24								
4. Kilbury: Providing for a study of public lands leased to private hunting and fishing groups .....	24								
5. Charette: Receiving the Governor's message on energy and agricultural conservation .....	53		54	54		57	57	77	
6. Haley, Juelling, Erickson: Directing that the Steilacoom school district continue as No. 1 after expansion .....	104								
7. Hanna, Randall, Hawkins, Smith (Rick), Bender, Haley, Peterson, Adams, Gaspard, Conner, Moreau, Charette, Fortson, North, Thompson, McCormick, Haussler, Paris, Eng, Maxie, Chatalas, Gaines: Directing department of social and health services to drop matching fund requirements for financing of care facilities .....	177	1229	1802	1802					
8. Charette: Memorial services for deceased former members of the Senate and House of Representatives .....	194		194	194	194	216	216	240	

9. Parker, Paris, Adams: Directing a study of services for children .....	194	
10. Erickson, Lee: Providing task force to study problems related to employment in nursing homes .....	278	
11. Hurley (Margaret), Luders, Berentson, McCormick, May, Bond, Knowles, Schumaker, Haussler, Gallagher: Directing the house and senate committees on parks and recreation to conduct hearings on proposed land trades by the state parks and recreation commission .....	278	322
12. Parker, Adams, Erickson, Gaspard, Haley, Gallagher, Juelling: Requesting study to unify direction of state museums .....	320	
13. King, Blair, Fischer, North: Directing a study of a consumer service for auto insurance rates .....	337	
14. Eng, North, Blair: Providing for plan to train teachers in bilingual instruction.....	350	737
15. Hanna, Becker, Bagnariol, Maxie, Eikenberry, Haley, Boldt, Eng, Cochrane, Whiteside: Recommending a thorough study of the state's public assistance program .....	383	
16. Adams, Charette, Hanna, Amen, Polk: Requesting a study and report on department of social and health services .....	384	
17. Charnley, Blair, Perry, Kilbury, Douthwaite, Valle: Directing a feasibility study of energy labeling .....	384	
18. Parker, Haussler, Fortson: Directing a study of better funding for fire prevention		



26. Sommers: Relating to state government . . . .					
27. Randall: Relating to revenue and taxation .					
28. Charette: Joint Session to receive a message from the Governor . . . . .	907	907	907	917	917 936
29. Bagnariol, Pardini, Newhouse, Moon, Randall: Authorizing the committees on ways and means of the house and senate to conduct a study of the property tax system . .	936				
30. Charette: Creating the legislative adminis- trative review committee . . . . .	936				
31. Brown, Charnley, Thompson, King: Autho- rizing introduction of a Memorial relating to South Viet Nam refugees . . . . .	993	1188			
32. Newhouse: Prescribing cut-off dates for the consideration of legislative measures . . . . .	1300	1300		1306	
33. Newhouse, Chandler, Dunlap, Gilleland, Brown, Berentson, Lee, Freeman, Flanagan, Curtis, Deccio, Polk, Zimmerman, Amen, Patterson, Leckenby, Kuehnle, Eikenberry, Blair, Peterson, Matthews, Tilly, Nelson, Paris, Schumaker, Hendricks, Whiteside, Barnes, Hayner, Hansey, Greengo: Cut-off dates for legislative measures . . . . .	1423			1423	
34. Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman: Establishing procedures for reconvening the legislature . . . . .	1543				

## SUBJECT AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
35. Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Eikenberry, Flanagan, Freeman, Gilleland, Greengo, Haley, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson, Zimmerman: Providing for the temporary adjournment of the legislature and establishing procedures for reconvening the legislature .....	1543		1611- 1613, 1628			1543, 1694			



## SUBJECT AND HISTORY OF HOUSE FLOOR RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Introduced	Adopted	Rejected	Other Action
1. Charette: Adopting temporary rules of the 44th Session .....	3	4		
2. Charette: Notification to the Senate that the House is organized .....	9	9		
3. Charette: Weekly payment of members and employees authorized .....	9	9		
4. Rules Committee: Adopting permanent rules of the 44th Session .....	150- 162	167		162- 167
5. Erickson, Zimmerman, Berentson, Hansey, Fortson, Peterson: Commending the Washington State Bicentennial Commission .....	149	149		
6. Laughlin, O'Brien: Commending the Medal of Honor Grove Committee regarding national shrine at Valle Forge, Pennsylvania .....	149	150		
7. Charette: Appointment of committee to select photographer for 44th Session .....	225	225		
8. Bausch, Hendricks: Proclaiming 1975 as International Women's Year .....	225	227		225- 227
9. Charette: Amending permanent rules of the House .....	285	286		
10. Charnley, Eikenberry: Amending permanent rules of the House .....	286		288	286- 288
11. Thompson, Newhouse: Amending permanent rules of the House .....	299	299		
13. Bauer, Maxie: Appointing committee to cooperate with Senate select committee on Vocational Education .....	330	330		
15. Dunlap, Chandler, Lee, Peterson, Whiteside, Greengo, Bond, Haley, Deccio: Amending the permanent rules of the House .....	390		391	390- 391
16. O'Brien, Ceccarelli, Perry, Chatalas, Charette, Patterson, Leckenby, Gilleland, Polk, Bender, Bagnariol, Eng, Maxie, Pardini, Peterson: Extending sympathy on death of Leo Weisfield .....	545	546		



17. Charette: Committee appointed to notify the Senate that the House ready to adjourn sine die .....	565	565	
18. Moon, Chatalas, O'Brien, Clemente, Fortson, Bender, Brown, Sawyer, Wilson, Martinis, Fischer, King, Nelson: Expressing sympathy to family of Archie Baker .....	564	565	
19. Charette: Appointment of committee to notify the Senate the House is organized for 1st extraordinary session .....	569	569	
20. Charette: Weekly payment of members and employees authorized .....	569	570	
21. Ceccarelli, Bagnariol, Deccio, Pardini, Clemente: Declares desire of House to honor March 17, 1975 as St. Patrick's Day .....	601	602	
22. Perry, O'Brien, Ceccarelli, Chatalas, Lysen, Williams: Commending Archbishop Thomas A. Connolly .....	619	619	
24. Parker, Haley, Erickson, Hanna, Gallagher, Adams, Gaspard, Juelling, Ehlers, Hawkins: Requesting Governor to designate health service areas for compliance with federal health planning and resource development law .....	652		652- 653, 665
25. Unanimous: Authorizing M.S. Brigantine Explorer to represent state.....	753	754	
29. Seeberger, Whiteside: Requesting study of establishing state park along Yakima River ....	1949	1950	1950
30. Fortson, Valle, Whiteside, Bauer, Hendricks: Requesting study of children's entrance into kindergarten and first grade .....	1952	1952	
32. Eikenberry, Amen, Barnes, Berentson, Blair, Bond, Brown, Chandler, Curtis, Deccio, Dunlap, Flanagan, Freeman, Gilleland, Grengo, Haley, Hansey, Hayner, Hendricks, Juelling, Kuehnle, Leckenby, Lee, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Peterson, Polk, Schumaker, Tilly, Whiteside, Wilson: Requesting coordination of budget bills .....	893		894
39. Valle, Douthwaite, Sherman, King, Moreau, Conner, Bender, Chandler, Eng, Charnley, Maxie, Blair, Hawkins, Lee, Williams, Chatalas, Brown, Becker: Encouraging college students to form Washington PIRG .....	1950	1950	
44. Luders, Valle, Zimmerman, Warnke, Knowles: Directing legislation to control transport and disposal of hazardous wastes .....	1745	1745	

## SUBJECT AND HISTORY OF HOUSE FLOOR RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Introduced	Adopted	Rejected	Other Action
45. Valle, Cochrane, Savage, Wojahn, Sherman, Sommers, Erickson, Maxie, King: Directing development of regulations regarding minors and women workers . . . . .	1745	1746		1746
46. Bausch, O'Brien, Chatalas, Sawyer, Adams, Bagnariol, Barnes, Becker, Bender, Boldt, Bond, Ceccarelli, Chandler, Charette, Charnley, Cochrane, Deccio, Dunlap, Eng, Erickson, Fischer, Flanagan, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Greengo, Haley, Hansen, Haussler, Hawkins, Hendricks, Hurley (George), Hurley (Margaret), Jastad, Juelling, Kalich, King, Knowles, Laughlin, Lee, Luders, Lysen, Martinis, Maxie, McCormick, Moon, Moreau, Newhouse, North, Pardini, Paris, Parker, Perry, Peterson, Polk, Randall, Savage, Schumaker, Seeberger, Smith (Edward), Thompson, Warnke, Wilson, Wojahn: Commemorating the hundredth anniversary of the founding of St. Michael's parish in Olympia . . . . .	1760	1761		
47. Amen, Zimmerman: Requesting Senate to appoint conference committee on budget bill . . .	1761	1761		
48. Deccio, Tilly, Berentson, Savage, Fortson, May, Hanna, Laughlin, Peterson, Thonipson, Bond, Polk, Hendricks, Fischer, Whiteside, Bagnariol, Haley, Hurley (Margaret), McCormick, Hayner, Gilleland, Schumaker, Matthews, Kalich, Hansey, Newhouse, Flanagan, North, Kilbury, Greengo: Requiring the director of DSHS to delegate authority and responsibility to warden of Walla Walla State Penitentiary . . . . .	1947	1947		
49. Boldt: Requesting study of Joint Center for Graduate Study . . . . .	1946	1947		
50. O'Brien, Erickson, Zimmerman, Pardini, Kilbury, Cochrane, Gilleland, Polk: Supporting the Seattle Opera Association . . . . .	1954	1954		
51. Randall, Pardini, Kilbury, Sommers, Erickson, Newhouse, Moon: Requesting assessment of boats for state tax purposes . . . . .	1974	1975		
53. Charette: Authorizing interim work of the House . . . . .	1957	1959		
55. Douthwaite, Conner, Charnley, Valle, North, Becker, Sommers, Bender: Setting Fred Hutchinson Cancer Research Center Day . . . . .	1976	1976		

56. Charette: Appointing committee to notify Senate that the 1st Extraordinary Session is  
ready to adjourn sine die ..... 1998 1998

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2006. (Substitute) State Government: Creating a state department of veterans affairs . . . . .	128, 602	135	1058, 1345	1458- 1459	1460		1601	1603	Vetoed
2007. (Substitute) Judiciary: Establishing the death penalty for aggravated murder in the first degree . . . . .	936	936	1213	1356- 1357		1354			
2011. Odegaard, Stortini, Jolly, Rasmussen: Changing certain school holidays to conform with state holidays . . . . .	148	177	221	259- 260, 281	282, 1975	1975	300	314	Vetoed
2020. Herr: Establishing a state lottery, subject to referendum . . . . .	1210	1210	1594	1615		1323			
2021. Fleming, Jolly, Talley, Lewis, R.H., Murray, Ridder, Beck, Sellar: Allowing cities and counties to set building permit fees . . . . .	189, 602	194	493	515	759, 794	794	816	816	Ch. 8 Ex. P.V.
2024. Walgren: Changing certain hearing requirements regarding franchises along public highways . . . . .	458, 602	459	1061	1205	1206		1227	1238	Ch. 46 Ex.
2026. Walgren, Beck, Jones, Talley, Goltz: Exempting inventory of sheltered workshops from property taxation . . . . .	459, 602	459	621	717	717		744	744	Ch. 3 Ex.



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results following school election for board . . .	140	144	279	486	487		523	523	Ch. 19
2051. Day: Increasing professional engineer and land surveyor fees . . . . .	435	435	514	526	526		544	544	Ch. 23
2055. Henry, Murray: Recovering attorney's fees in cases of illegal odometer replacement .	478	478	514	526	527		544	544	Ch. 24
2058. Day, McDermott: Strengthening the Medical Disciplinary Act . . . . .	344	350	494	516	517		549	549	Ch. 61
2059. (Substitute) Social and Health Services: Involving the hospital commission in com- prehensive health planning . . . . .	771	771							
2065. Walgren, Stortini, Keefe, Guess (by Department of Motor Vehicles request): Revising the definition of habitual traffic offender . . . . .	1240	1240	1363						
2070. Francis, von Reichbauer, Ridder (by Department of Labor and Industries request): Revising the regulations and pay- ments to victims of crimes . . . . .	478, 602	478	1008, 1081, 1345	1465, 1512, 1521	1521		1601	1603	Ch. 176 Ex.
2071. Bottiger, Woody, Scott: Increasing fees for service of process . . . . .	620	621	1230	1338	1339		1391	1391	Ch. 94 Ex.
2072. Bottiger, Scott, Woody: Authorizing recording of communications in certain situ- ations . . . . .	459, 602	459	514						

2074. Talley, Van Hollebeke, Sellar: Authorizing sewer districts to issue revenue warrants and revenue bond anticipation warrants and expanding authority in regard to revenue bonds.....	263, 602	265	726	946, 947	947, 1005	1005	1057	1063	Ch. 25 Ex.
2077. Knoblauch, Wanamaker, Rasmussen, Goltz: Fixing the compensation of jurors . . . .	811	811	1138	1318	1318		1344	1347	Ch. 76 Ex.
2078. Henry, Murray, Beck (by Department of Motor Vehicles request): Amending the motor vehicle code . . . . .	385	385	491	503	503		549	549	Ch. 25
2079. Henry, Murray, Beck (by Department of Motor Vehicles request): Facilitating the refund of erroneously paid camper and trailer tax . . . . .	240, 602	240	480	509- 510	510, 647, 888	553, 722, 754, 793, 887	917	917	Ch. 9 Ex.
2080. Henry, Murray, Beck (by Department of Motor Vehicles request): Prescribing a penalty for failure to surrender motor vehicle certificates, licenses or permits . . . . .	263	265	480	511	511	553	555	556	Ch. 52
2081. Walgren, Goltz, Talley: Authorizing municipalities to purchase products and/or services from sheltered workshops . . . . .	128	136	494	517	517		549	549	Ch. 20
2082. Walgren, Sellar, Talley, Wilson: Permitting fire districts to charge fees to reimburse themselves for funds expended on first aid vehicles and ambulances . . . . .	263	265	494	518, 525- 526, 531	532		555	556	Ch. 64 P.V.
2083. Pullen, Rasmussen, Henry: Prohibiting possession of weapons on capitol grounds . . .	868	868							
2086. (Substitute) Judiciary: Changing certain laws relating to the guardianship of incompetents . . . . .	640	642	1009	1206	1377		1422	1423	Ch. 95 Ex.

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2088. (Substitute) Natural Resources: Requiring license for smelt dealers .....	314, 602	321	507			948			
2090. Stortini, Murray (by Superintendent of Public Instruction request): Making miscellaneous changes in education code .....	202, 602	206	1241	1456, 1460	1460, 1947	1602, 1693			
2092. (Substitute) Judiciary: Enacting a new criminal code for crime against persons .....	709	709	1081	1465, 1512- 1516	1516		1777	1777	Ch. 260 Ex.
2093. (Substitute) Judiciary: Enacting general provisions of a new criminal code .....	694	695							
2096. Lewis, H.B., Walgren, Donohue, McDermott: Providing for study of administrative costs of school districts .....	395, 602	395	633	730	759		781	781	Ch. 5 Ex.
2097. Woody, Gould, Knoblauch (by Parks and Recreation Commission request): Changing period of enrollment and compensation for enrollees in the youth corps and reducing the time privately owned recreation areas developed by enrollees must be available to the public .....	148	177	279	343	475- 476		483	483	Ch. 7
2101. Day, von Reichbauer: Requiring a state hospital for treatment of sexual psychopaths .	783	783							





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warrants after one year from their call or issue.....	811	812	1138	1429	1429		1470	1517	Ch. 131 Ex. P.V.
2124. Scott: Repealing laws relating to mine to market roads .....	722	722	980	1456	1456		1542	1565	Ch. 139 Ex.
2125. (Substitute) Natural Resources: Authorizing alteration of streams by riparian owners in cases of emergency.....	240, 602	241	909	1027	1028		1130	1130	Ch. 29 Ex.
2126. Jolly, Benitz: Permitting public utility districts to pay travel and living expenses of prospective employees .....	761	761	1195	1523	1524		1542	1565	Ch. 140 Ex.
2127. Jolly, Benitz: Expanding the definition of "construction project" for PUD purposes ....	140, 602	144	711	944	945		970	970	Ch. 10 Ex.
2128. Sandison, Walgren, Bottiger: Requiring telephone companies to provide means for making free emergency calls from coin operated telephones .....	385	385	480	502	502		535	536	Ch. 21
2130. (Substitute) Ecology: Adding provisions for recovery and recycling to litter control and solid waste collection laws .....	993	993							
2131. Woody, Clarke: Permitting cemetery authorities to make deposits in federal credit unions and federal savings and loan associations.....	666	684	971	1258	1259		1281	1285	Ch. 55 Ex.

2133. (Substitute) State Government: Authorizing payment of claims against state officers or employees from tort claims revolving fund . . .	1124	1124	1267	1430	1430	1470	1517	Ch. 126 Ex.
2137. (Substitute) Transportation and Utilities: Making certain changes in the laws relating to vehicle tonnage fees . . . . .	478, 602	479						
2141. Marsh, Day, Newschwander: Authorizing travel expenses for transporting blind and deaf youth during weekends and vacations . . .	300	303	507	532	532	549	549	Ch. 51
2142. (Substitute) Natural Resources: Transferring certain duties from the director of fisheries to the director of revenue . . . . .	771	771						
2143. Talley, Jolly, North: Relating to contracts of first class cities . . . . .	852	852	1111	1259	1259	1281	1285	Ch. 56 Ex.
2146. Donohue, Buffington, Jolly, Ridder: Establishing procedures for granting increases in firemen and police pension benefits . . . . .	1004	1006	1230	1339	1339	1601	1603	Ch. 178 Ex.
2147. Jolly, Day, Sellar, Wilson, Benitz, Morrison: Controlling the use of herbicides . .	263	266	396	481	489	535	536	Ch. 27
2150. (Substitute) Agriculture: Changing certain laws relating to agriculture . . . . .	478, 602	479	544	730	769	783	789	Ch. 7 Ex. P.V.
2159. (Substitute) Transportation and Utilities: Pertaining to motor vehicle fuel taxes . . . . .	483, 603	483	1474	1582	1617-1619	1682	1691	Vetoed
2163. Bluechel, Washington, Benitz: Designating petrified wood as the official state gem . .	240	241	396	487	487	523	523	Ch. 8
2167. Ridder, Van Hollebeke, Stortini: Repealing the Fair Trade Act . . . . .	300	303	421	481	498	523	524	Ch. 55





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conviction for certain violations against the game code .....	300, 603	303	552	663	758		761	761	Ch. 6 Ex.
2205. Walgren, Bottiger, Lewis, R.H.: Permit- ting service of traffic citations for offenses not witnessed by citing officer .....	415	416	495	519	519		549	549	Ch. 56
2206. Day, von Reichbauer, McDermott, Guess: Requiring the superintendent of Interlake school to be a physician .....	289, 603	292							
2208. Lewis, R.H., Fleming, Murray: Authoriz- ing the purchase of alcoholic beverages at discount for use in special alcohol programs .	722	723	1215						
2210. Stortini, Murray, Ridder (by Superinten- dent of Public Instruction request): Authoriz- ing fees for optional noncredit extra- curricular events of school districts and pro- viding for their disposition .....	478, 603	479	1156	1358- 1360	1378, 1946	1755	1974	1974	Ch. 284 Ex. P.V.
2211. (Substitute) Transportation and Utilities: Authorizing certain types of motor vehicle lighting .....	949	949	1300	1792	1793		1857	1858	Ch. 242 Ex.
2215. Bottiger: Changing mileage rate for members of county road administration boards and urban arterial boards .....	300, 603	303	495	519- 520	626		641	641	Ch. 1 Ex.

2218. Talley, Goltz: Providing a minimum limit for port district work contracts without bids . . . . .	883	883	971	1028, 1205	1205		1227	1238	Ch. 47 Ex.
2220. Sellar, Wilson, Lewis, R.H.: Removing mandatory delay for issuance of certain county warrants . . . . .	250	255	495	520	521		535	536	Ch. 31
2226. Francis, Woody, Clarke: Requiring state to pay costs and fees of indigent appeals . . . . .	735	735	1195	1844	1845		1864	1865	Ch. 261 Ex.
2227. Guess, Donohue: Authorizing acquisition of surplus Expo facilities for Walla Walla community college . . . . .	385, 603	386	738, 1345	1457	1458		1542	1565	Ch. 141 Ex.
2230. Clarke, Jones, Morrison: Enacting a new criminal code relating to crimes against property . . . . .	735	735							
2233. Marsh, Francis, Clarke: Amending laws relating to dissolution of marriage . . . . .	459	460	495	521	521		549	549	Ch. 32
2235. (2nd Substitute) Local Government: Allowing public utility districts to acquire, construct, operate, maintain and add to sewage and sanitation systems . . . . .	783	783	909	1259	1260		1281	1285	Ch. 57 Ex.
2241. (2nd Substitute) Labor: Authorizing resumption of payments to a widow of a workman after remarriage has terminated . . . . .	868	869	1138	1263	1263, 1576	1575	1611	1611	Ch. 179 Ex.
2242. Henry, Marsh: Changing membership of Columbia River Gorge Commission, defining its duties, and describing area of the commission's jurisdiction . . . . .	275, 603	278	755	1206	1223	492	1265	1274	Ch. 48 Ex.

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2243. (Substitute) Judiciary: Revising laws of filiation proceedings and enacting the uniform parentage act .....	868	869							
2244. (Substitute) Judiciary: Regulating hitchhiking .....	1240	1241	1363						
2249. (Substitute) Financial Institutions: Providing for the qualification and regulation of public depositaries.....	478, 603	479	971	1318	1318		1344	1347	Ch. 77 Ex.
2250. Francis, Clarke: Making state laws and rules and regulations presently applicable to cities of 500,000 or more applicable to cities of 400,000 or more .....	289	292	496	522	522		535	536	Ch. 33
2251. (Substitute) Constitution and Elections: Requiring financial disclosure by appointed officials .....	630	631	853	1439	1461		1601	1603	Vetoed
2252. (Substitute) Transportation and Utilities: Designating state highway routes .....	459	460	515	529	530		549	549	Ch. 63
2253. Day (by Department of Social and Health Services request): Specifying the number and qualifications of the state board of examiners for nursing home administrators.....	907	908	1195	1340	1340		1391	1391	Ch. 97 Ex.
2256. Francis, Clarke, Woody: Revising laws relating to remuneration of judges .....	835	835	1296						



2258. (2nd Substitute) Ways and Means: Screening certain school children in order to identify any children with specific learning disabilities.....	949	949	1139	1318	1319	1344	1347	Ch. 78 Ex.
2259. (Substitute) Labor: Providing for liens to enforce payment of employers contributions to employee benefit plans.....	415	416	515	530, 533	533	544	544	Ch. 34
2263. (Substitute) Higher Education: Providing a collective bargaining act for certain community college employees .....	1977	1977						
2265. Woody, Walgren, Bluechel: Revising regulations of alien banks .....	868	869	1125	1839	1839	1864	1865	Ch. 285 Ex. P.V.
2266. Woody, Walgren, Bluechel: Changing deadline date for stockholders meetings of banks.....	300	303	491	522	522	535	536	Ch. 35
2268. Rasmussen, Scott, Bailey (by State Treasurer request): Directing the investment of current state funds .....	344, 603	350	524	663	701	754	760	Ch. 4 Ex.
2271. Donohue, Newschwander, Sandison, Matson, Washington (by Superintendent of Public Instruction request): Authorizing increased state matching funds for school construction .....	435, 603	436	1158	1328	1329	1391	1391	Ch. 98 Ex.
2278. Ridder, McDermott, Goltz, Francis (by Department of Social and Health Services request): Providing sanctions for violation of nursing home standards; providing for inspections, reports, and provisional licensing .....	958	968	1195	1340	1341	1391	1391	Ch. 99 Ex.

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2280. (Substitute) Transportation and Utilities: Pertaining to financing municipal transportation systems .....	1361	1363	1480	1584	1619, 1835	1790	1844	1847	Ch. 270 Ex.
2285. Lewis, R.H., Guess, Murray, Sellar: Deleting general election days as state legal holidays .....	459, 603	460							
2290. Day, Walgren: Appropriating funds to counties to aid in operation of criminal justice system .....	1265	1278							
2292. Goltz, Gould, McDermott (by Superintendent of Public Instruction request): Implementing the law relating to professional personnel in school districts, their certification and institutes or workshops .....	1193	1193	1488	1617	1617		1682	1691	Ch. 192 Ex.
2297. Goltz, Woody: Increasing the number of Whatcom county superior court judges to three .....	666	684	1009	1207	1207		1227	1238	Ch. 49 Ex.
2300. Sandison, Rasmussen: Permitting president of the Washington state historical society to have representative in his name on the Washington state board on geographic names .....	385, 603	386	659	1044	1044		1072	1072	Ch. 26 Ex.
2306. Day, Jones: Revising the law relating to usury .....	811	812	1125	1424- 1429	1543, 1565	1563- 1565	1601	1603	Ch. 180 Ex.

2309. Marsh (by Department of Social and Health Services request): Establishing concurrent jurisdiction between the United States and Washington to veterans hospitals located at Vancouver, Walla Walla and American Lake .....	640	642	994	1446	1446	1542	1565	Ch. 142 Ex.
2310. Woody: Providing for paying savings and loan accounts to foreign executors in the same manner as for other banks .....	811	812	971	1319	1320	1601	1603	Ch. 165 Ex.
2314. Morrison, Jones: Enacting a new criminal code relating to miscellaneous crimes ....	761	761						
2322. (Substitute) Labor: Granting medical aid benefits under the industrial insurance act to volunteers .....	848	848	1125	1312	1312	1344	1347	Ch. 79 Ex.
2328. Guess, Bottiger, Lewis, R.H. (by Department of Highways request): Providing a change in the distribution and utilization of motor vehicle fuel and use taxes .....	868	869	1062	1341	1341	1362	1391	Ch. 100 Ex.
2329. Bottiger, Gould, Van Hollebeke, Morrison: Exempting PTA carnivals and certain Reno nights from gambling laws .....	478, 603	479						
2331. Washington, Murray, North: Granting certain powers to a metropolitan municipal corporation authorized to perform water pollution abatement .....	415	416	508	531	531	544	544	Ch. 36
2332. Bottiger, Bluechel: Amending laws relating to insurers' assessments .....	848	848	972	1450- 1451	1452	1543	1565	Ch. 133 Ex.
2334. Francis, Bottiger, Woody, Clarke: Amending the laws relating to corporations ..	811	812	1125	1793	1793	1857	1858	Ch. 264 Ex.

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2336. Bottiger, Beck, Guess (by Utilities and Transportation Commission request): Making changes in the laws relating to public service companies . . . . .	735	736							
2341. Bottiger, Beck, Matson (by Utilities and Transportation Commission request): Making certain changes in the laws relating to public service companies . . . . .	811	812	1363	1466, 1517- 1519	1544, 1752	1465- 1466, 1691	1864	1865	Vetoed
2342. Rasmussen, Henry, Wanamaker (by State Auditor request): Requiring state auditor to audit municipal associations . . . . .	1265	1267							
2343. Beck, Walgren, Stortini: Requiring accident reports for bicyclists . . . . .	478, 603	479							
✓ 2346. Matson, Donohue (by Superintendent of Public Instruction request): Changing requirements relating to sale of real property by school districts . . . . .	852	852	1139	✓ 1447	1447, 1955	1602	1998	1999	Ch. 243 Ex.
2348. Walgren, Guess, Knoblauch, Beck: Requiring cities, towns and counties to report to director of highways on plans for bicycle, pedestrian, and equestrian expenditures . . . . .	811	812	1282	1803	1804		1865	1865	Ch. 215 Ex.
2350. Walgren, Bottiger, Guess, Knoblauch, Beck, Sellar: Defining bicycles as vehicles for purposes of "Rules of the Road" . . . . .	459	460	492	513, 524	525				



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snowmobiles and providing for the distribu- tion of such fees .....	1193	1228	1268	1438	1545	1305- 1306	1601	1603	Ch. 181 Ex.
2393. Peterson, Lewis, H.B., Rasmussen: Authorizing the director of game to open, close, shorten, or reopen seasons by his order .....	811	812	980	1329	1330		1362	1391	Ch. 102 Ex.
2394. (Substitute) Natural Resources: Autho- rizing department of natural resources to acquire property for access to state owned or managed lands .....	1265	1278							
2395. Woody, Marsh, Buffington: Raising court reporters' salaries .....	868	869	1242	1341	1342		1470	1517	Ch. 128 Ex.
2398. Woody, Bottiger: Regulating court reporters .....	970	970							
2401. Grant, Mardesich, Bailey, Ridder: Pro- viding for adjustment of workmen's compen- sation payments .....	1080	1081	1215	1447	1462, 1855	1637	1864	1865	Ch. 286 Ex. P.V.
2402. Bailey, Lewis, H.B., Marsh: Permitting port district commissioners to delegate authority to managing official .....	459, 603	460	711	945	945		970	970	Ch. 12 Ex.
2403. Jones, Francis, Wanamaker: Providing arrest procedures for specified traffic offenses	744	744	1297	1846	1846		1864	1865	Ch. 287 Ex.



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NUMBER, AUTHOR AND SUBJECT	Rec'd from Senate	1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action in	Signed by Pres. Senate	Signed by Speaker House	Action by Gov.
located in the state .....	478, 603	479	1010	1313	1314		1344	1347	Ch. 81 Ex.
2440. Pullen: Requiring the board of prison terms and paroles to take action by either a majority or two-thirds majority in certain cases .....	666	684							
2442. (Substitute) Higher Education: Authorizing certain state colleges to offer degrees through master's degree subject to review and recommendations of council on higher education .....	1154	1154							
2443. (Substitute) Ecology: Amending shoreline management laws .....	848	848	1111	1519	1519		1601	1603	Ch. 182 Ex.
2452. Henry, Wanamaker: Authorizing monthly license fees for operation of dump trucks .....	478, 603	480							
2453. Murray, Fleming, North, Bailey: Granting criminal justice training commission power to lease facilities .....	783	784	909	1355	1378		1422	1423	Ch. 103 Ex.
2454. Murray, Fleming, North: Directing the criminal justice education board and commission to establish minimum standards for recruitment of criminal justice personnel ....	783	784	909	1316	1316		1344	1347	Ch. 82 Ex.
2463. (Substitute) Higher Education: Relating to vocational education .....	630	631	1300	1467, 1535- 1541	1541	1466, 1519	1601	1603	Ch. 174 Ex. P.V.



2466. Walgren, Clarke, Bottiger: Providing for deposit of retained percentage funds on public works contract in bank or savings accounts .....	907	908	1125	1330	1331	1391	1391	Ch. 104 Ex.	
2467. Walgren, Clarke, Herr: Permitting mutual savings banks to convert to savings and loan associations .....	958	968	1115	1320	1320	1344	1347	Ch. 83 Ex.	
2469. (Substitute) Financial Institutions: Revising law relating to handling of trusts by mutual savings banks .....	1281	1281	1598	1833	1834	1864	1865	Ch. 265 Ex.	
2480. (Substitute) Financial Institutions: Providing changes in security regulation provisions .....	958	968	1116	1321	1321	1344	1347	Ch. 84 Ex.	
2484. Sandison, Newschwander: Allowing an officer or employee to receive accrued vacation when transferring from one state agency to another .....	761	762	1158	1467, 1519	1519	1543	1565	Vetoed	
2491. (Substitute) Natural Resources: Prescribing penalties for a false application relating to licenses issued by the department of fisheries .	958	968							
2495. (Substitute) Natural Resources: Enlarging the scope and duties of the department of natural resources as regards surveys and maps .....	666	684							
2499. Gould, Beck, Talley: Making changes in the laws relating to commercial food fish and shellfish licenses .....	936	937							
2500. (Substitute) Labor: Enacting the education employment relations act .....		1626		1694	1695	1694	1717	1717	Ch. 288 Ex. P.V.

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2501. Rasmussen, Wanamaker, Donohue (by State Auditor request): Permitting departmental post-audits at reasonable intervals . . .	1265	1267	1325	1520, 1590, 1607	1608		1682	1691	Ch. 193 Ex.
2507. (Substitute) Local Government: Designating office of program planning and fiscal management as recipient of certificate of annexation . . . . .	822	822	959	1045	1045		1130	1130	Ch. 31 Ex.
2509. Woody: Permitting notaries public to use rubber stamps in addition to seals . . . . .	771	771	1126	1316	1316		1344	1347	Ch. 85 Ex.
2513. Matson, Fleming: Authorizing completion of migrant housing demonstration project in Yakima county . . . . .	666	684	765	1207	1207		1265	1274	Ch. 50 Ex.
2517. (Substitute) Higher Education: Relating to higher education . . . . .	958	968	1126	1326	1327		1362	1391	Ch. 105 Ex.
2519. (Substitute) Higher Education: Relating to the council on higher education . . . . .	783	784	1195	1346	1347		1470	1571	Ch. 132 Ex. P.V.
2526. (Substitute) Ecology: Providing for the conservation and protection of archaeological resources . . . . .	1193	1194	1273	1448	1448		1543	1565	Ch. 134 Ex.
2530. Walgren: Relating to highways . . . . .	640	642	711	946	946		979	981	Ch. 18 Ex.
2535. (Substitute) Transportation and Utilities: Relating to transportation . . . . .	1422	1423	1489	1584		1585, 1621			

2560. (Substitute) Agriculture: Setting forth guidelines for agricultural water supply facilities .....	993	994	1216						
2563. Wanamaker, Sellar, Walgren: Relating to air transportation .....	883	883							
2574. (Substitute) Natural Resources: Authorizing buy-back of fishing vessels, gear and permits .....	1154	1155	1216, 1511	1585	1586	1611	1611	Ch. 183	Ex.
2607. Walgren, Guess (by Department of Highways request): Revising priorities for state highway improvements .....	744	744	1282	1520	1520	1543	1565	Ch. 143	Ex.
2608. Goltz, North, Washington: Revising fiscal regulation of activated air pollution authorities .....	822	822	980	1316	1317	1391	1391	Ch. 106	Ex.
2609. Walgren: Limiting the number of copies of Washington state statutes that a county must keep on file .....	822	822	960	1793	1793	1857	1858	Ch. 216	Ex.
2611. Lewis, R.H. (by Secretary of State request): Providing for automatic transfer of voter registration in county when address appears changed on precinct list of voters ...	907	908	1216	1448	1448	1601	1603	Ch. 184	Ex.
2613. Marsh, Francis, Jones: Authorizing pre-trial deferred prosecution programs approved by the court .....	907	908	1364	1804	1805	1865	1866	Ch. 244	Ex.
2616. (Substitute) Natural Resources: Requiring notice and a hearing before an exchange of state land .....	640	642	835	1321	1321	1362	1391	Ch. 107	Ex.
2618. (Substitute) State Government: Relating to public contracts .....	958	968	1346						

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2619. Day, Buffington, McDermott: Providing a state-wide medical education system for family practice training .....	822	822	981, 1112, 1230	1348	1348		1422	1423	Ch. 108 Ex.
2623. Marsh, Stortini: Requiring reports of child abuse to be forwarded to the prosecuting attorney for investigation and action .....	883	883	1216	1348	1348, 1743	1602, 1693	1864	1866	Ch. 217 Ex.
2628. (2nd Substitute) Higher Education: Enacting new law relating to regulation of postsecondary proprietary schools and their agents .....	993	994	1346						
2633. Woody, Stortini: Directing state board of education to authorize high school credits for persons accepted into the national guard high school career training .....	640	643	1139	1838	1839		1864	1866	Ch. 262 Ex.
2634. Mardesich, Lewis, H.B.: Authorizing allowances for legislative members-elect .....	949	949	1273	1452	1452		1601	1603	Ch. 185 Ex.
2636. Donohue, Sellar, Sandison, Matson: Implementing law relating to construction of Washington State University tree fruit research center and financing thereof .....	783	784	1126	1331	1331		1362	1391	Ch. 109 Ex.
2647. Beck, Walgren: Providing for transfer of state land to Kitsap County .....	822	822	910	1045	1046		1072	1072	Ch. 27 Ex.
2650. Bailey: Ratifying county budget actions ..	761	762	960	1046	1046		1130	1130	Ch. 32 Ex.

2654. (Substitute) Ways and Means: Enlarging scope of school use for excise tax on real estate sales .....	1240	1241	1465	1524	1524	1543	1565	Ch. 135 Ex.
2660. North, Bluechel: Permitting nature conservancies to acquire open space for public use .....	1135	1136	1325					
2663. North, McDermott: Permitting conditional licensing of alien physicians for work in county or city health departments .....	822	823	1297	1832	1833			
2670. Rasmussen: Revising liquor license requirements for common carriers .....	1240	1241	1325	1839	1840	1864	1866	Ch. 245 Ex.
2673. (Substitute) Ways and Means: Modifying the timber reserve fund distribution for 1975 and setting the time for calculation of harvest factors .....	936	937	1757					
2689. (Substitute) Education: Regulating school-related photography services .....	1265	1278						
2690. Jolly, Talley: Authorizing three-quart milk containers .....	611	611	747	1046	1208	1265	1274	Ch. 51 Ex.
2692. (Substitute) Local Government: Establishing standards for making buildings and facilities accessible to and usable by physically disabled persons .....	1029	1029	1243	1320, 1321	1322	1391	1391	Ch. 110 Ex.
2698. Francis: Permitting legislative authorities of home rule counties to designate up to twelve unclassified positions of administrative responsibility .....	993	994	1112	1586	1586	1601	1603	Ch. 186 Ex.
2713. (Substitute) Local Government: Changing requirements for county road construction day labor contracts .....	1004	1006	1112	1349- 1353	1353	1422	1423	Vetoed

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2715. (Substitute) Education: Authorizing delay of school district preliminary budgets ..	1193	1210	1273	1311	1312	1210, 1225, 1238	1333	1333	Ch. 53 Ex. 1362
2718. Woody: Requiring continuing education for licensed insurance brokers .....	958	968							
2723. Bottiger, Woody: Limiting the use of criminal offender records and prescribing procedures .....	1281	1281							
2724. (Substitute) Transportation and Utilities: Prohibiting political subdivisions from licensing vehicle dealers .....	949	950							
2725. (Substitute) State Government: Providing for state defense of state employees in criminal actions .....	958	968	981	1436	1463		1543	1565	Ch. 144 Ex.
2727. (Substitute) Local Government: Setting compensation for port commissioners .....	1057	1057	1280	1453	1453		1601	1603	Ch. 187 Ex.
2730. (Substitute) Agriculture: Prescribing requirements for humane treatment of animals .....	949	950	1126	1453- 1454					
2731. Lewis, H.B., Peterson: Providing for training in trapping before license is issued ..	654	657	981						
2734. (Substitute) State Government: Prescribing changes in shoreline management provisions .....	1281	1282							

2735. Day: Revising laws relating to care of mentally or physically deficient persons . . . . .	1470	1543	1594	1794	1794		1857	1858	Ch. 246 Ex.
2736. (Substitute) Ways and Means: Making certain corrections and adjustments in the tax laws . . . . .	1029	1029	1364, 1693	1524, 1697- 1715	1622, 1744, 1997	1623, 1694, 1775, 1979	1998	1999	Ch. 291 Ex.
2737. (Substitute) Local Government: Authorizing an alternative method for the ownership, operation, and financing of public systems of sewerage and water . . . . .	1227	1228	1304	1524	1525		1611	1611	Ch. 188 Ex.
2741. Clarke, Jolly, Jones: Establishing conversion procedures for savings and loan association and mutual savings banks . . . . .	883	884	1116	1354	1379		1422	1423	Ch. 111 Ex.
2765. (Substitute) Ways and Means: Creating the Washington state retirement system . . . . .	754	755				1342- 1343			
2795. (Substitute) Constitution and Elections: Relating to public disclosure . . . . .	979	979							
2808. (Substitute) Local Government: Expanding the membership of the municipal research council . . . . .	1124	1124	1274	1794, 1856	1856		1864	1866	Ch. 218 Ex.
2829. Morrison: Relating to sentencing procedures . . . . .	936	937							
2833. (Substitute) Transportation and Utilities: Relating to railroad grade crossing protective devices . . . . .	958	969	1282	1520	1521		1601	1603	Ch. 189 Ex.
2840. Francis: Relating to sentencing . . . . .	1265	1278	1326	1521	1522, 1838	1637, 1691	1864	1866	Ch. 247 Ex.
2855. (Substitute) Higher Education: Excluding certain community college faculty appointments from rights relating to tenure . . . . .	949	950	1126	1331	1332		1362	1391	Ch. 112 Ex.

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2861. Higher Education: Exempting certain educational housing from provisions relating to unfair discrimination or as affecting civil rights .....	822	823	1139	1526- 1533	1533		1543	1565	Ch. 145 Ex.
2862. Sellar: Deleting local government employees from law setting holidays for state employees .....	1240	1241	1305	1534	1535, 1638	1637	1682	1691	Ch. 194 Ex.
2863. Marsh, McDermott, Gould: Compelling action by school boards to assure physical safety of pupils .....	1265	1278	1465	1833	1833		1865	1866	Ch. 248 Ex.
2882. Bottiger: Exempting certain deliberations of the state's institutions of higher education from the open public meetings act .....	1154	1155							
2886. Donohue: Authorizing bond issue for construction of executive offices .....	1324	1324		1922	1922		1974	1974	Ch. 249 Ex.
2892. Fleming, Sellar, Talley: Establishing disposition procedures for unclaimed personal property in port districts .....	848	848	972	1047	1047		1072	1072	Ch. 28 Ex.
2894. Day, Jones, Ridder: Permitting ambulance service to claim lien against a tortfeasor .....	1124	1124	1282	1794, 1801	1794, 1802	1801	1865	1866	Ch. 250 Ex.
2895. Day, Jones, Ridder: Amending law relating to blind vendors in public buildings .....	1265	1279	1465	1795	1796		1865	1866	Ch. 251 Ex.



2904. Goltz, Wanamaker, Jolly: Amending laws relating to the dairy commission and dairy products .....	949	950	1010	1454	1454		1543	1565	Ch. 136 Ex.
2908. (Substitute) Transportation and Utilities: Authorizing state and local governments to provide for intermodal transportation centers .....	1422	1423							
2910. Bottiger, Walgren: Increasing fee to county auditor appointed by the director to issue vehicle license plates .....	868	869	960	1455	1455	934	1543	1565	Ch. 146 Ex.
2913. McDermott, Day, Ridder: Permitting university medical graduates of foreign medical schools or colleges to become physician assistants for a limited number of years .....	958	969	1219	1455	1455		1601	1603	Ch. 190 Ex.
2937. (Substitute) Transportation and Utilities: Relating to transportation taxation .....	1361	1363	1511	1583	1620- 1622		1682	1691	Vetoed
2938. (Substitute) Labor: Requiring the director of the department of labor and industries to establish industrial health and safety programs for employers .....	1265	1279							
2939. Morrison: Permitting domestic wineries to sell at retail .....	958	969							
2944. Mardesich: Permitting investment of public funds in the Asian development bank ..	883	884	1598	1840	1841		1864	1866	Ch. 252 Ex.
2945. Washington, Talley, North: Authorizing merger of sewer districts across county lines ..	883	884	972	1317	1317		1344	1347	Ch. 86 Ex.
2956. Jolly, Peterson, Sellar: Relating to the state building code .....	1281	1282							
2957. Bottiger, Walgren: Increasing fees for driver's licenses .....	1422	1424		1589	1589	1589	1601	1603	Ch. 191 Ex.

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2960. Henry, Matson, Morrison (by Department of Emergency Services request): Making changes in the laws relating to emergency services .....	958	969	1159	1332	1332		1362	1391	Ch. 113 Ex.
2966. (Substitute) Local Government: Allowing fire districts to authorize and issue local improvement bonds and warrants .....	1227	1228	1274	1436	1437		1470	1517	Ch. 130 Ex.



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104. Rasmussen: Petitioning Congress to control entry of illegal aliens . . . . .	263, 602	266							
105. Bottiger, Morrison, Wanamaker, Beck, Walgren: Requesting aid to states for high-way maintenance and construction . . . . .	300	303	481	502	503		523	524	
106. Guess, Henry, Wanamaker, Washington, Bottiger, Walgren: Requesting federal executive and legislative action to exempt asphalt from excise or import tax . . . . .	385, 602	386							
108. Peterson, Lewis, H.B.: Memorializing the President and Congress to expand reforestation work on national forest lands . . . . .	385, 602	386	552	717	718		735	735	
110. Sandison, Peterson, Benitz, Morrison: Memorializing Congress to exempt duck hunting from requirements of federal environmental policy act . . . . .	640	643	773	1027	1078		1130	1130	
111. Guess, Donohue, Jolly, Van Hollebeke, Goltz, Ridder, Stortini, Fleming, Bluechel, Benitz, Francis, Pullen, Beck, Buffington, Odegaard, Matson, Keefe, Wilson, Gould, North, Sellar, Lewis, H.B., Newschwander, Lewis, R.H., Day, Peterson, Murray: Requesting the President to attend the dedications of Lower Monumental, Little Goose, and Lower Granite Dams . . . . .	1124	1125							



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101. Francis, Clarke, Marsh, Woody, Jones: Creating a new judicial article in the Consti- tution of Washington .....	835	835	1112	1421	1463		1601	1604	
110. Sandison, Keefe, Lewis, H.B., Marsh, Guess, Mardesich, Matson, Day, Bottiger, Sellar, Fleming, Stortini, Woody, Murray, Van Hollebeke, Benitz, McDermott, Goltz, Grant, Beck, von Reichbauer, Buffington, Talley (by Council on Higher Education request): Proposing constitutional amend- ment permitting aid to students attending both public and private post-secondary insti- tutions of higher education .....	275, 602	278	421	1136, 1258, 1260-	1262, 1375, 1376, 1847-	1264, 1629, 1801	1949	1949	
127. (Substitute) Ways and Means: Establish- ing constitutionally citizens' commission to set salaries of public officials .....	1135	1136		1375	1848				
129. (Substitute) Constitution and Elections: Amending the State Constitution .....	761	762	910						
131. (Substitute) Ways and Means: Authorizing a state net income tax with limitations .....	1977	1977							



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101. Mardesich, Clarke, Goltz, Sandison, Jones, Bluechel: Requesting establishment of the joint committee on Washington/British Columbia Governmental Cooperation . . . . .	250, 602	255	951	1795, 1856	1856		1949	1949	
102. Marsh, Mardesich, Woody, Jones, Scott: Continuing pension studies . . . . .	72, 602	73	404						
103. Peterson, Lewis, H.B.: Resolving to continue cooperation with other western states to coalesce positions relating to forest programs . . . . .	666	684	910						
104. (Substitute) Labor: Directing ways and means committees to study problems related to employment in nursing homes . . . . .	848	849							
105. Bailey, Mardesich: Adopting the Joint Rules of the Washington State Legislature . . . . .	289	292		323	324		395	395	
107. Bailey, Mardesich, Matson, Lewis, H.B.: Providing for the return of bills to their respective houses . . . . .	556	556		556	556		567	568	
108. Bailey, Mardesich, Matson, Lewis, H.B.: Informing governor legislature is ready to adjourn sine die . . . . .	567	567		567	567		568	568	
109. Bailey, Mardesich, Matson, Lewis, H.B.: Reintroduction of measures introduced in the 44th regular session . . . . .	570	570		571	571		610	610	



111. Goltz, Murray, Morrison: Designating April 20–26 as "Volunteer Week '75" .....	735	736	851	893	893	917	917
112. Jolly, Sellar, Wilson, Benitz, Day, Bailey, Beck, Bluechel, Bottiger, Buffington, Clarke, Cunningham, Donohue, Fleming, Francis, Goltz, Gould, Grant, Guess, Henry, Herr, Jones, Keefe, Knoblauch, Lewis, H.B., Lewis, R.H., Mardesich, Marsh, Matson, McDermott, Morrison, Murray, Newschwander, North, Odegaard, Peterson, Pullen, Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Van Hollebeke, von Reichbauer, Walgren, Wanamaker, Washington, Woody: Recognizing the centennial celebration of state agriculture experiment stations and honoring the WSU Agricultural Research Center .....	1977	1977					
114. Lewis, H.B., Mardesich, Matson, Bailey: Prescribing cut-off dates for the consideration of legislative measures .....	1324	1324				1326, 1353	
117. Bailey, Mardesich, Matson, Lewis, H.B.: Providing for transmittal of bills between the houses .....	1978	1978		1978	1978	1998	1999
118. Bailey, Mardesich, Matson, Lewis, H.B.: Informing governor legislature is ready to adjourn sine die .....	1999	1999		1999	1999	2001	2001
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